

**DECISION
AND
FINDING OF NO SIGNIFICANT IMPACT**

Environmental Assessment: Managing Canada Goose Damage in the State of New York

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 Canada goose damage to agricultural resources, natural resources, property, and public health and safety in New York (USDA 2017). The cooperating agencies that assisted WS in the development of the EA were the New York State Department of Environmental Conservation (NYSDEC), the United States Department of the Interior, Fish and Wildlife Service (USFWS), the New York State Office of Parks, Recreation and Historic Preservation, the City of New York, Department of Environmental Protection, the City of New York, Department of Parks and Recreation, and the Port Authority of New York and New Jersey. 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 July 29 to September 4, 2017. The document was made available through a Notice of Availability (NOA) published in *The Times Union*, and sent to interested parties through the APHIS Stakeholder Registry. WS also published the document on the program website. One response was received, but lacked substantive comments. All correspondence on the EA is maintained at the WS State Office, 572 Third Ave Extension, Suite 2, Rensselaer, NY 12144.

ISSUES ASSOCIATED WITH CANADA GOOSE 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 Canada Goose Populations
- Issue 2 - Effects on Non-target Plant and Wildlife Species, including Threatened and Endangered Species
- Issue 3 - Effects of Damage Management on Human Health and Safety
- Issue 4 - Effects on Socio-Cultural Elements of the Human Environment

AFFECTED ENVIRONMENT

Canada goose damage management activities could be conducted on federal, state, tribal, municipal, and private properties in New York. The areas of the proposed action include (but are not limited to) property on or adjacent to airports, golf courses, athletic fields, agricultural fields, livestock operations, natural areas, communally-owned homeowner/property owner association properties, recreational areas, swimming beaches, parks, corporate complexes, subdivisions, businesses, industrial parks, military bases, fish hatcheries, government properties and facilities, schools, agricultural areas, landfills, wildlife sanctuaries, wetlands and other water bodies, restoration sites, cemeteries, and reservoirs.

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 2017); below is a summary of the alternatives.

Alternative 1 - Continue the Current Canada Goose Damage Management Program (No Action/Proposed Action)

The proposed action/no action alternative would continue to implement an adaptive integrated approach incorporating non-lethal and lethal techniques, as deemed appropriate, to reduce damage and threats caused by Canada geese in New York. This approach would integrate the most practical and effective methods available to resolve Canada goose damage as determined by a site-specific evaluation for each request. Funding could occur through federal appropriations or from cooperative funding. City/town managers, agricultural producers, property owners, and others requesting assistance would be provided with information regarding the use of appropriate non-lethal and lethal techniques.

The adaptive approach to managing damage associated with Canada geese would integrate the use of the most practical and effective methods to resolve a request for damage management as determined by site-specific evaluation to reduce damage or threats to human safety for each request after applying the WS Decision Model. To be most effective, damage management activities should begin as soon as Canada geese begin to cause damage. Goose damage that has been ongoing for some time can be difficult to resolve using available methods since geese are conditioned to feed, roost, loaf, and are familiar with a particular location. Subsequently, making that area unattractive through the use of available methods can be difficult to achieve once damage has been ongoing. WS would work closely with those entities requesting assistance to identify situations where damage could occur and 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 cooperator.

Non-lethal methods recommended and used by WS may include resource management, physical exclusion, human behavior modification, repellents, reproductive control, frightening devices, and other deterrents. Lethal methods recommended and used by WS may include the use of shooting, live capture and transportation to a state -or USDA- regulated poultry processing facility (birds donated for human consumption), and live capture and euthanasia, and nest/egg destruction. WS would employ humane methods of euthanasia recommended by the American Veterinary Medical Association (AVMA) such as, cervical dislocation or carbon dioxide to euthanize target birds once those birds were live-captured using other methods. Carbon dioxide is an acceptable form of euthanasia for birds while cervical dislocation is a conditionally acceptable method of euthanasia (AVMA 2013). The use of firearms could also be used to euthanize birds live-captured; however, the use of firearms for euthanasia is considered a conditionally acceptable method for wildlife (AVMA 2013).

Lethal and non-lethal methods are intended to be short-term attempts at reducing damage occurring at the time those methods are employed. Long-term solutions to managing bird damage would include limited habitat manipulations (e.g. shoreline riprap) and changes in cultural practices.

Under this alternative, WS would respond to requests for assistance in three ways: 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 geese, or 3) providing technical assistance and operational assistance to property owners or managers experiencing damage.

Property owners or managers requesting assistance would be provided with information regarding both the use of effective and practical non-lethal as well as lethal techniques available to achieve their goals. Property owners or managers may choose to implement WS' recommendations on their own under a permit (i.e., technical assistance), use contractual services of private businesses, use volunteer services of private organizations, use the contractual services of WS (i.e., operational assistance), or take no action.

The removal of geese can only legally occur as authorized by the USFWS through the issuance of a depredation permit, and only at levels specified in the permit, unless a depredation/control order has been established by the USFWS, in which case no permit for removal is required. When applying for a depredation permit, the requesting entity submits with the application the number of geese requested to be taken to alleviate the damage. Therefore, under this alternative, the USFWS could: 1) deny an application for a depredation permit when requested to alleviate goose damage, 2) could issue a depredation permit at the removal levels requested, or 3) could issue permits at levels below those removal levels requested.

Alternative 2 – Non-lethal Canada Goose Management Only

Under this alternative, WS would implement only non-lethal methods to resolve damage caused by Canada geese. Lethal methods could continue to be used under this alternative by those persons experiencing damage without involvement by WS. In situations where non-lethal methods were impractical or ineffective to alleviate damage, WS could refer requests for information regarding lethal methods to the state, local animal control agencies, or private businesses or organizations. Property owners or managers may choose to implement WS' non-lethal recommendations on their own or with the assistance of WS, implement lethal methods on their own via the permitting process through the USFWS as outlined above, or request assistance (non-lethal or lethal) from a private or public entity other than WS.

Alternative 3 – No Canada Goose Damage Management Conducted by Wildlife Services

This alternative precludes any and all activities by WS to reduce Canada goose damage or threats to human health and safety, agriculture, property, or natural resources. WS would not be involved with any aspect of Canada goose damage management in the state. All requests for assistance received by WS to resolve damage caused by geese would be referred to the USFWS, the NYSDEC, or to private entities. This alternative would not deny other federal, state, and/or local agencies, including private entities from conducting damage management activities directed at alleviating damage and threats associated with birds.

Despite no involvement by WS in resolving damage and threats associated with Canada geese in the state, those persons experiencing damage caused by Canada geese could continue to resolve damage by employing those methods legally available. Most of the methods described in the EA would be available for use by those persons experiencing damage or threats. In some cases, use of pyrotechnics may be precluded by regulatory burden, and shooting may be precluded by local ordinances. Canada geese could be lethally removed by entities other than WS through the issuance of depredation permits by the USFWS, by hunting for Canada geese, and under depredation and control orders for geese.

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 NYSDEC 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-New York program will annually review its effects on Canada geese 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 geese by WS would not have significant impacts on statewide goose population when known sources of mortality were considered. No risk to public safety were identified 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 when persons who reject assistance and recommendations conduct their own activities when no assistance is 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 Canada geese 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 EIS.

Based on the analysis 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) Canada goose 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 issues of humaneness and aesthetics when all facets of those issues 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 analysis 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. Canada goose 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 analysis 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 is some opposition to goose 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. Wildlife Services 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 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) Canada goose 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 in New York would continue to provide effective and practical technical assistance and direct management techniques that reduce damage and threats of damage.

Janet Bucknall, Director-Eastern Region
USDA/APHIS/WS
Raleigh, North Carolina

Date

APPENDIX A
LITERATURE CITED

AVMA. 2013. AVMA guidelines for the euthanasia of animals: 2013 edition. American Veterinary Medical Association, Schaumburg, IL, USA.

USDA (U.S. Department of Agriculture). 2017. Environmental Assessment: Managing Canada Goose Damage in the State of New York. USDA APHIS WS, Rensselaer, NY.