

**DECISION
AND
FINDING OF NO SIGNIFICANT IMPACT**

**ENVIRONMENTAL ASSESSMENT: REDUCING BIRD DAMAGE
IN THE STATE OF RHODE ISLAND**

The United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS) program, in cooperation with the United States Fish and Wildlife Service (USFWS) Migratory Bird Program Region 5, have prepared an Environmental Assessment (EA) to analyze the potential environmental and social impacts to the quality of the human environment from resolving damage, including conflicts and threats, associated with birds. The EA documents the need for bird damage management and assesses potential impacts on the human environment of three alternatives to address that need. The proposed action alternative in the EA would continue an integrated damage management program to address the need to manage damage and threats associated with birds (USDA 2013).

PUBLIC COMMENTS

The EA was made available for review and comment from May 22 to June 21, 2013. The document was made available through a Notice of Availability (NOA) published in the *Providence Journal* and mailings sent to 56 interested parties. WS also published these documents on the program website. No comments were received. All correspondence on the EA is maintained at the WS office, 463 West Street Amherst, Massachusetts 01002.

ISSUES ASSOCIATED WITH BIRD 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 on target bird populations
- Issue 2 - Effects on non-target wildlife, including threatened and endangered (T&E) species
- Issue 3 - Effects on human health and safety
- Issue 4 - Effects on the aesthetic value of birds
- Issue 5 - Humaneness and animal welfare concerns of methods
- Issue 6 - Effects on the regulated harvest of birds
- Issue 7 - Effectiveness of damage management methods

AFFECTED ENVIRONMENT

Bird damage or threats of damage can occur statewide in Rhode Island wherever those bird species occur. However, bird damage management would only be conducted by WS when requested by a landowner or manager and only on properties where a cooperative service agreement or other comparable document was signed between WS and a cooperating entity. Upon receiving a request for assistance, activities could be conducted on federal, State, tribal, municipal, and private properties. 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, industrial parks, timberlands, croplands, and pastures, private and public property, and locations where birds are a threat to human safety through the

spread of disease. The areas could also include airports and military airbases where birds are a threat to human safety and to property.

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 4; below is a summary of the alternatives.

Alternative 1 - Continuing the Current Integrated Approach to Managing Bird Damage (Proposed Action/No Action)

The proposed action/no action alternative would continue the current implementation of an adaptive integrated approach utilizing non-lethal and lethal techniques, as deemed appropriate using the WS Decision Model (Slate et al. 1992; see WS Directive 2.201) to reduce damage and threats caused by birds in Rhode Island. A major goal of the program would be to alleviate and prevent bird damage and to reduce threats to human safety. To meet this goal, WS, in cooperation the USFWS and consultation with the RIDEM, would continue to respond to requests for assistance with, at a minimum, technical assistance, or when funding was available, operational damage management.

Therefore, under this alternative, WS could respond to requests for assistance by: 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 birds, or 3) providing technical assistance and direct operational assistance to a property owner or manager experiencing damage.

In general, the most effective approach to resolving damage would be to integrate the use of several methods simultaneously or sequentially. This adaptive approach to managing damage associated with birds would integrate the use of the most practical and effective methods as determined by a site-specific evaluation for each request after applying the WS Decision Model. The philosophy behind an adaptive approach would be to integrate the best combination of methods in a cost-effective manner while minimizing the potentially harmful effects on humans, target and non-target species, and the environment. Integrated damage management may incorporate cultural practices (e.g., animal husbandry), habitat modification (e.g., exclusion, vegetation management), animal behavior modification (e.g., scaring, repellents), removal of individual offending animals (e.g., trapping, shooting, and avicides), and local population reduction, or any combination of these, depending on the circumstances of the specific damage problem.

Alternative 2 - Bird Damage Management by WS through Technical Assistance Only

Under this alternative, WS would provide those cooperators requesting assistance with technical assistance only. Technical assistance would provide those cooperators experiencing damage or threats associated with birds with information, demonstrations, and recommendations on available and appropriate methods available. The implementation of methods and techniques to resolve or prevent damage would be the responsibility of the requester with no direct involvement by WS. In some cases, WS may provide supplies or materials that were of limited availability for use by private entities (e.g., loaning of propane cannons). Similar to the proposed action alternative, a key component of assistance provided by WS would be providing information to the requester about wildlife and wildlife damage. Educational efforts conducted under the proposed action alternative would be similar to those conducted under this alternative.

This alternative would place the immediate burden of using methods to alleviate damage on the resource owner, other governmental agencies, and/or private businesses. Those entities could take action using those methods legally available to resolve or prevent bird damage as permitted by federal, state, and local laws and regulations or those persons could take no action.

Alternative 3 – No Bird Damage Management Conducted by WS

This alternative would preclude any activities by WS to reduce threats to human health and safety, and alleviate damage to agricultural resources, property, and natural resources. WS would not be involved with any aspect of bird damage management in the State. All requests for assistance received by WS to resolve damage caused by birds would be referred to the USFWS, to the RIDEM, and/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 in the State. Therefore, under this alternative, entities seeking assistance with addressing damage caused by birds could contact WS but WS would immediately refer the requester to other entities. The requester could then contact other entities for information and assistance, could take actions to alleviate damage without contacting any entity, or could take no further action.

CONSISTENCY

Wildlife damage management activities conducted in Rhode Island are consistent with work plans, MOU's, and policies of WS, the RIDEM, and the USFWS. In addition, the New England Field Office of the USFWS has developed a website that provides up-to-date species occurrence information and provides an outline for action agencies to assist in determining whether consultation for projects are needed under Section 7 of the ESA. More recently, the USFWS has developed the Information, Planning, and Conservation System (IPaC) and website which provide the user an interactive planning and mapping tool for streamlining the environmental review process. WS would review these websites and the online measures on a site-by-site basis to determine if any T&E species are located within the project area in order to conclude with a determination of effects. WS also consulted with the RIDEM regarding potential risks to state-listed species proposed in the EA. The RIDEM concurred with WS' determination that the proposed action would not likely adversely affect populations of state-listed species, but WS would still initiate consultations with the State prior to starting any action potentially involving a State-listed species.

MONITORING

The Rhode Island WS program will annually review its effects on target bird species and other 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

Since the EA was made available for public comment, additional information was obtained on target species population estimates. The Partners in Flight Landbird Population Estimate database was recently updated to reflect current population estimates (PFSC 2013). The previous best available data was obtained from the model established by Rich et al. (2004). WS has reviewed the updated database to ensure the accuracy of the target bird population impact analyses as described under the proposed action. The following summarizes the relevant changes.

Many of the target bird populations in Rhode Island increased since 2004 which actually decreases the percentage of cumulative take for those species. There were several species for which no new population estimates exists due to insufficient data; therefore, the most current data from Rich et al. (2004) remains

as the best available data for analysis. There were six species that exhibited lower population estimates than in 2004 (Table 1). The resultant increase in percentages of cumulative take is still considered to be of low magnitude for most species and not expected to result in any cumulative negative impacts to the viability of these species.

Table 1. Comparison of species population estimates and percentage of cumulative take (2004 vs. 2013) in Rhode Island based on the Partners in Flight Landbird database.

Species	2004 Estimate	2013 Estimate	2004 % Take	2013 % Take
Feral pigeon	8,000	6,000	12.5%	16.6%
Mourning dove	20,000	15,000	6.0%	8.0%
Barn swallow	4,000	2,000	5.8%	11.6%
Red-winged blackbird	17,000	8,000	2.9%	6.25%
European starling	60,000	11,000	33.3%	100%
Common grackle	30,000	12,000	3.3%	8.3%

The European starling demonstrated the most significant variance decreasing from 60,000 individuals in 2004 to 11,000 in 2013. However, it is noted that the current population estimate was derived from a low sample size and poor geographic coverage, and therefore, given the lowest quality rating by the Partners in Flight database. Adjacent locations and regional populations have shown much higher concentrations of starlings with better quality ratings. For example, the PFSC (2013) estimates the starling populations in neighboring Connecticut and Massachusetts as 80,000 and 100,000 birds, respectively. The estimate for the Bird Conservation Region (BCR) 30, which includes Rhode Island, was 820,000 starlings (PFSC 2013). WS' proposed take of up to 20,000 starlings annually would represent 10.5% of the combined populations in the tri-state area and 2.4% of the estimated BCR 30 population. Additionally, the majority of WS' requests to resolve starling damage occur during the migration period and during the winter when the State population is likely much higher due to the presence of migrant starlings and/or juveniles (USDA 2013). Executive Order 13112 states that each federal agency shall reduce invasions of exotic species and reduce the associated damages to the extent practicable and permitted by law. WS' take of European starlings to reduce damage and threats would comply with Executive Order 13112.

WS has also reanalyzed the proposed take for barn swallows given the new population estimate of 2,000 (PFSC 2013). Barn swallow observations during the Breeding Bird Survey have continued to show an annual decline of -3.7% in Rhode Island since 1966. Although Birdlife International (2012) ranks the barn swallow as a species of least concern, WS is proposing to reduce the take from no more than 200 as stated in the EA to not exceed 160 individuals annually. Combined with the highest annual take from non-WS entities (31) under USFWS depredation permits, WS' take of 160 swallows would represent 9.5% of the statewide population. This total take by all entities is not expected to result in any cumulative negative impacts to the viability of this species.

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 birds by WS would not have significant impacts on statewide bird populations when known sources of mortality were considered. No risk to public safety were 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 when persons who reject assistance and recommendations conduct their own activities under Alternative 2 and 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 birds 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 analyses in the EA adequately address 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 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) bird 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 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. Bird 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 is some opposition to bird 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 within the State of Rhode Island.
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 would utilize the USFWS IPaC website on a site-by-site basis to determine if any T&E species are located within the project area in order to conclude with a determination of effects.
10. The proposed action would comply with all applicable federal, State, and local laws.
11. No significant cumulative effects were identified by this assessment or other actions implemented or planned within the area.

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) bird 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 Rhode Island would continue to provide effective and practical technical assistance and direct management techniques that reduce damage and threats of damage.



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Date

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