

# Decision and Finding of No Significant Impact

## Supplement to the Environmental Assessment:

### Field Evaluation of HOGGONE® Sodium Nitrite Toxicant Bait for Feral Swine

#### United States Department of Agriculture, Animal and Plant Health Inspection Service

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#### Introduction

An environmental assessment (EA) was prepared by the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS) program to analyze the potential effects on the human environment to conduct field trials of HOGGONE® in Texas and Alabama on free ranging feral swine in 2017. The first phase of the trial was conducted in Texas from January-March 2018. This trial was relatively effective on free-ranging feral swine; however, it was quickly discovered feral swine were dropping and spilling more bait than anticipated which resulted in the take of some non-target animals. Although this non-target take was adequately analyzed in the EA, it was considered a worst-case scenario and the trial was postponed until these issues could be resolved.

In March 2018, the Australian HOGGONE® product developer, in collaboration with WS's National Wildlife Research Center (NWRC) began to resolve issues with the baiting strategy and made several important changes to further reduce any non-target risks with the product. These changes were analyzed in a separate EA in 2019 and then were implemented into several small-scale trials that took place in 2019 and 2020 to determine their effectiveness. This Supplement to the 2017 EA analyzes the changes made to the product and the baiting strategy while also incorporating all new information gathered from the small-scale trials conducted in 2019 and 2020.

#### Purpose and Need

The purpose and the need for action in the EA will remain as addressed in section 1.2 of the 2017 EA. This Supplement to the EA examines the potential environmental impacts of conducting field trials that would incorporate new information that has become available from research findings and data gathering since the issuance of the Decision and FONSI in 2017.

The non-target mortalities observed during the 2018 field trial in Texas led to modifications to the bait station, the formulation of the bait, and the baiting strategy. Specifically, WS revised the bait station to accept small, compacted trays of the SN toxic bait to limit the ability of feral swine from scooping the bait onto the ground. Secondly, the bait was reformulated to reduce the risks to non-target species. The original bait included 10% SN w/w microencapsulated and mixed into a matrix of peanut paste bait with crushed grains. The reformulation, called HOGGONE 2, included: 1) increasing the microencapsulation coating around the SN, 2) decreasing the SN concentration by 50% to minimize the amount of SN deployed, and 3) using more finely milled grains to reduce the attractiveness to small granivorous birds.

Finally, WS revised the baiting strategy to reduce the attractiveness of the bait sites to non-target animals. The amount of pre-baiting time was also decreased with freely available whole-kernel corn by 4–6 days. Bait stations were also placed ~10–30 m away from the original pre-baiting sites where whole-kernel corn was used to draw feral swine to the area to avoid any remnant particles of whole-kernel corn that might attract granivorous birds. Finally,

WS incorporated a deterrent device (Scare Dancer® Snake 6ft Cordless Inflatable Scarecrow) that is operated the morning following toxic bait deployment to scare non-targets away until an operator can arrive at the bait site and remove any spilled HOGGONE 2.

NWRC is proposing to resume field trials in Alabama and Texas that were postponed in 2017 while implementing changes to the product and incorporate information gained from recent small-scale trials. These field trial studies may be used as part of a larger effort to register the product in the United States with the EPA.

## Issues

The following issues were identified during the interagency and public involvement processes during the development of the EA and Supplement, these issues were determined to be important to the analysis, and were used to drive the environmental analysis and compare the impacts of the alternatives.

- Issue 1 - Effects on Human Health and Pet Safety
- Issue 2 - Impacts on Terrestrial and Aquatic Environments
- Issue 3 - Effects on Non-Target and T&E Species
- Issue 4 - Humaneness / Ethics

Other issues considered but not analyzed in detail, with rationale, are discussed in the EA section 2.1.2

## Public Involvement

Issues related to developing a study and conducting field trials for a sodium nitrite product to control feral swine were initially developed by WS' NWRC, the Invasive Animal Cooperative Research Center (IACRC) from the University of Canberra, Australia, and the Texas Parks and Wildlife Department (TPWD). Issues were defined and preliminary alternatives were identified through an internal scoping process. As part of public involvement, the EA and Supplement was made available for 30 days to the public for review and comment by a legal notice published in the Montgomery Advisor in AL on April 7, 14, 21, 2021 and the Austin Statesman in TX from April 12, 2021 through April 14, 2021. A notice of availability and the Supplement were also made available for public review and comment on the APHIS website beginning on March 31, 2021. The document was made available for electronic commenting on Regulations.gov, <https://www.regulations.gov/document?D=APHIS-2017-0067-0001> on March 31, 2021. Additionally, WS sent a notice of availability directly to over 6000 individuals, agencies, and organizations with probable or stated interest in feral swine damage management on March 31, 2021. The public comment period ended on April 30, 2021. WS received 68 comment letters during the public comment period. The comment letters received during the public involvement process were reviewed for substantive issues and alternatives and were considered in developing this Decision for the Supplement. A summary of the comments received and responses to the comments are provided in Appendix C of the final Supplement.

## Documents Related to the Decision

This field study and the activities conducted in Alabama and Texas are consistent with the NWRC study protocol, the Environmental Assessment – Mammal Damage Management in Alabama (USDA 2014), Environmental Assessment – Feral Swine Damage Management by the Texas Wildlife Services Program (2014b), and the policies and directives of WS and NWRC. Additionally, APHIS completed a national feral swine EIS (*Feral Swine Damage Management: A National Approach*) in 2015 and issued a Record of Decision (ROD) (USDA 2015). This Supplement and FONSI are consistent with the analysis and decisions in those documents.

WS reviewed the status, critical habitat designations, and current known locations of all species listed as threatened, endangered (T&E), or candidates within counties where the two study sites could be located in Alabama and Texas. Species effects determinations were made for each study location and where applicable, were submitted to the

USFWS for concurrence under the Endangered Species Act (ESA). WS' provided a review of the proposed study and these effect determinations in the form of a Biological Assessment (BA) on March 16, 2017 to the USFWS Alabama Ecological Services Field Office located in Daphne, Alabama. The USFWS provided a letter of concurrence on April 27, 2017 indicating that the proposed study would have either a no effect or may affect, not likely to adversely affect determinations for T&E species in Alabama. On May 7, 2019, WS described the changes in the bait formulation and the study protocol (which reflect the current formulation and protocols) in a letter to the USFWS. WS received a letter of concurrence from the USFWS regarding the bait and protocol changes on June 25<sup>th</sup>, 2019. In Texas, WS provided a review of the proposed study and its determinations of no effect on T&E species in a courtesy letter to the USFWS Texas Ecological Services Field Office located in Arlington, TX on June 5, 2017.

## **Objectives and Alternatives**

The objectives of the study are to analyze the effectiveness of the toxicant in a field setting, analyze and evaluate threats to non-target animals, particularly passerine birds, and to continue evaluating the effectiveness of the overall baiting strategy.

WS considered two courses of action based on the reasonable choices that could be made by Wildlife Services: (1) Do not conduct the study (No Action Alternative). Under this alternative, a research study on the effectiveness of HOGGONE® sodium nitrite bait to control feral swine would not be conducted; and (2) Proposed Action, conduct the study. This alternative consists of conducting a study to determine the effectiveness of HOGGONE® (HOGGONE 2) as a toxicant bait to control feral swine at two sites in Alabama and Texas. Other alternatives were considered but rejected from detailed analysis for the reasons presented in the EA, section 2.5. The following is a summary of the alternatives and the associated effects of the two alternatives evaluated in detail in the EA and Supplement.

### **Alternative 1 - No Action – No Study**

Under this alternative, there would be no direct effect on human health and pet safety, the terrestrial and aquatic environment, non-target and T&E species, or humaneness. This alternative was not selected because it does not meet the need and the mission of WS-NWRC, to evaluate damage situations and develop methods and tools to reduce or eliminate damage and resolve land-use conflicts.

### **Alternative 2 – Proposed Action – Conduct the Study**

Under this alternative, WS would implement the study in two sites in Alabama and Texas. Based on the analysis in the EA and Supplement, which includes a substantial amount of scientific information available about the risks of sodium nitrite, risks to human health and pet safety would be low, effects on the terrestrial and aquatic environment would be minor, and non-target animal risks would be minor with no population level risks. The study would either have no effect or would not be likely to adversely affect T&E species that may occur in counties where the study is implemented. Finally, sodium nitrite has been determined to be a humane method of killing feral swine.

## **DECISION AND RATIONALE**

Based on the analyses of the alternatives and issues analyzed in detail within the EA and Supplement, considering the potential impacts of those alternatives, I, the decision-maker, have made the following decision.

### *Decision*

I have carefully reviewed the EA and Supplement prepared to meet the need for action. I find the proposed action alternative (Alternative 2) 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 and Supplement adequately addresses the identified issues, which reasonably confirm that no significant impact, individually or longer term, 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 and Supplement does not warrant the completion of an Environmental Impact Statement.

Based on the analyses in the EA and Supplement, the issues identified are best addressed by selecting Alternative 2 (Proposed Action) and applying the associated standard operating procedures discussed in Chapter 2 of the EA. Alternative 2 would successfully address the objective to study the effectiveness of sodium nitrite in a field setting. The EA and Supplement documents that conducting these field trials would not adversely affect the aquatic and terrestrial environment, human and pet safety, non-target species, including threatened or endangered species or the humaneness of damage management methods. Alternative 2 would allow the mission of WS-NWRC to evaluate and develop methods and tools to reduce or eliminate damage by feral swine by improving population control measures. NWRC designs studies to ensure that the methods developed to alleviate animal damage are biologically sound, effective, safe, economical, and acceptable to the public. Through the publication of results and the exchange of technical information, NWRC provides valuable data and expertise to the public and the scientific community. Therefore, it is my decision to implement the Proposed Action alternative (Alternative 2) as described in the EA and Supplement.

### **Finding of No Significant Impact**

The analysis in the EA and Supplement indicates that Alternative 2, the Proposed Action, does not constitute a major federal action significantly affecting, individually or long term, the quality of the human environment. I agree with this conclusion and, therefore, determine that an Environmental Impact Statement (EIS) will not be prepared. This determination is based on consideration of the following factors:

1. The proposed activities will occur on two local site-specific areas in Texas and Alabama. The proposed activities are not national or regional in scope.
2. The proposed study will occur on private lands, is target specific to feral swine and will not significantly affect public health and safety.
3. The proposed activities will not have an impact on unique characteristics of the geographic area such as historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers or ecologically critical areas. The nature of the field trials proposed will not affect the physical environment.
4. The effects on the quality of the human environment of the proposed activities are not highly controversial. Although some people may oppose the study of a feral swine toxicant, the methods and impacts are not controversial among experts.
5. The possible effects of the proposed activities on the quality of the human environment are not highly uncertain and do not involve unique or unknown risks. The impacts and effects of sodium nitrite on target feral swine and non-target species has been highly researched in pen trials and small-scale field trials. The Proposed action intends to evaluate its effectiveness in a large-scale operational field trial.
6. The proposed activities do not establish a precedent for actions with future significant effects or represent a decision in principle about a future consideration. The study will collect information about the efficacy and effects of the toxicant in a field setting in two sites. While the information from the study may be used as one piece of information to help inform a future product registration process, registration would entail additional scientific analyses and regulatory processes.

7. There are no significant long-term effects identified by this assessment. WS would abide by all SOPs and operational policies that would also likely minimize any effects sodium nitrite may have on the environment.
8. The proposed activities will not affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places nor will it cause a loss or destruction of significant scientific, cultural, or historical resources.
9. The proposed activities will fully comply with the Endangered Species Act of 1973, as amended. The proposed activities would either have “No effect” or “May affect, not likely to adversely affect” determinations for federally listed threatened and endangered species.
10. There are no irreversible or irretrievable resource commitments identified by this assessment, except for a minor consumption of fossil fuels for routine operations while conducting the study.
11. The proposed activities will not threaten a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

For additional information concerning this decision, please contact Kurt VerCauteren, Research Wildlife Biologist, Feral Swine Research Project, National Wildlife Research Center, USDA/APHIS/Wildlife Services 4101 Laporte, CO 80521.

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Date