

**DECISION
AND
FINDING OF NO SIGNIFICANT IMPACT
FOR ENVIRONMENTAL ASSESSMENT:**

**BEAVERDAMAGE MANAGEMENT TO PROTECT COLDWATER
ECOSYSTEMS, FOREST RESOURCES, ROADS AND BRIDGES,
SENSITIVE HABITATS AND PROPERTY IN WISCONSIN**

January 24, 2013

Beavers (*Castor canadensis*) are a valued component of native ecosystems and are enjoyed by many individuals for their cultural, aesthetic and existence value. Wisconsin also has a trapping season for beavers. However, despite their positive values, Wisconsin beavers also come into conflict with humans. The United States Department of Agriculture (USDA) is authorized to protect American agriculture and other resources from damage associated with wildlife. The primary statutory authority for the USDA, Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS) program is the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426-426b) as amended and the Act of December 1987 (101 Stat. 13290331, 7 U.S.C. 426c). The WS program prepared an Environmental Analysis (EA) to assess the potential environmental impacts of five alternatives for WS involvement in beaver damage management in Wisconsin. The EA was available for public review and comment from November 19, 2012 to January 14, 2013. This document contains WS' review of public comments on the EA, choice of a management alternative and conclusions regarding the potential environmental impacts associated with the chosen management alternative.

Wildlife damage management is the alleviation of damage or other problems caused by or related to the presence of wildlife, and is recognized as an integral part of wildlife management (The Wildlife Society 1992). Wildlife Services responds to requests for assistance from individuals, organizations and agencies experiencing damage caused by wildlife. WS activities are conducted in cooperation with other federal, tribal, state and local agencies; and private organizations and individuals. Federal agencies, including the United States Department of Interior (USDI), Fish and Wildlife Service (USFWS) and USDA Forest Service (USFS), recognize the expertise of WS to address wildlife damage issues related to beavers.

WS was the lead agency in the preparation of the EA. The USFS, Wisconsin Department of Natural Resources (WDNR), Bad River Band of Lake Superior Tribe of Chippewa Indians, the Forest County Potawatomi Community, and the Red Cliff Band of Lake Superior Chippewa were cooperating agencies in the preparation of this EA. The Great Lakes Indian Fish and Wildlife Commission (GLIFWC) and Wisconsin Division of Public Health were also consulted during preparation of the EA. This analysis will replace a 1996 WS EA on beaver damage management in Wisconsin. This document provides notification of WS' choice of a management alternative and determination regarding the environmental impacts of the chosen alternative. 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). However, WS decided to prepare the EA to assist in planning beaver damage management activities and to clearly communicate with the public the analysis of issues of concern relative to alternative means of meeting the need for action

After review of information in the EA and the comments provided, WS has chosen to implement the preferred alternative, Alternative 3- Fully Integrated Beaver Damage Management for all Public and Private Land (No Action/Proposed Action). Under the chosen alternative, WS will continue the current beaver damage management program in the state of Wisconsin. An integrated wildlife damage management (IWDM) approach, including technical assistance and operational damage management services, would be implemented to reduce beaver damage to property, roads, bridges, railroads, agricultural and natural resources, and risks to public health and safety. Damage management would be conducted on public, private, and tribal property in Wisconsin where a need exists and when landowners/managers request WS assistance. The IWDM strategy would encompass the use of practical and effective non-lethal and lethal methods of preventing or reducing damage while minimizing harmful effects of damage management measures on humans, target and non-target species, and the environment. The WS Decision Model (Slate et al. 1992; WS Directive 2.201, EA Section 3.2.3) would be used to select among the full range of management methods available when developing site-specific plans to address beaver damage. When appropriate nonlethal methods such as textural barriers (e.g., sand in paint), physical exclusion or habitat modification (e.g., water control devices) could be recommended and utilized to reduce beaver damage. Beavers captured in non-lethal devices (foothold traps, snares, cage traps, etc.) would usually be euthanized unless relocation was authorized by the WDNR. In other situations problem animals would be removed as humanely as possible using: body gripping traps (e.g., Conibear-type), snares, and shooting. When appropriate, beaver dams could be removed by using binary explosives or by hand. Preference would be given to practical and effective non-lethal methods, but non-lethal methods may not always be applied as a first response to each damage problem. The most appropriate response could be a combination of non-lethal and lethal methods, or there could be instances where application of lethal methods alone would be the most appropriate strategy. All WS beaver damage management would be consistent with other uses of the area and would comply with applicable federal, state, tribal and local laws. Landowners/managers are not required to use the services of WS. Landowners/managers may choose to implement their own beaver damage management program, use contractual services of private businesses, use volunteer services, or take no action.

PUBLIC COMMENTS

The 2012 Wisconsin Beaver Damage Management EA was made available for comment from November 19, 2012 to January 14, 2013. The documents were made available through a "Notice of Availability" (NOA) published in the *Wisconsin State Journal* and on the WS website http://www.aphis.usda.gov/wildlife_damage/nepa.shtml, and through direct mailings of the NOA to interested parties. This decision document will be made available to the public using the same procedures as for the EA.

WS received only one comment letter on the EA. The comment letter and the rest of the administrative record EA are maintained at the Wildlife Services State Office, 732 Lois Dr., Sun Prairie, WI 53590. The comment letter expressed support for the proposed alternative. The commenter also expressed concern that there may be a need for BDM to protect trout habitat in Wisconsin's Driftless Area. The EA analyzed the potential impacts of WS' BDM activities on all lands in Wisconsin where WS is currently providing assistance and areas where WS may work in the future. Wildlife Services would be able to provide BDM assistance in the Driftless area at the request of the WDNR provided that the impacts of the action (e.g., impacts on the state beaver population and nontarget species) are within the parameters analyzed in the EA.

MAJOR ISSUES

The EA analyzed a range of management alternatives in context of issues relevant to the scope of the analysis including:

- Viability of beaver populations in Wisconsin.
- Public health and safety from beaver management.
- Maintain effective and selective resource protection methods and tools.
- Potential for some WS methods to take non-target animals.

AFFECTED ENVIRONMENT

Upon request for assistance, beaver damage management (BMD) could be conducted on private, federal, tribal, state, county, and municipal lands in Wisconsin to protect agricultural and natural resources, property, roads, bridges, railroads, and public health and safety. Areas of the proposed action could include state and interstate highways and roads, and railroads and their right-of-ways where beaver activities cause damage. BDM actions could be conducted on property in or adjacent to subdivisions, businesses, and industrial parks where beaver impound water and gnaw or fell trees. Additionally, affected areas could include timberlands, croplands, and pastures that experience financial losses from beaver flooding or gnawing. The proposed action also could include private and public property where beaver burrowing causes damage to dikes, ditches, ponds, and levees, and where feeding causes agricultural crop losses and negatively impacts wildlife, including T&E species. Natural resources affected could include coldwater eco-systems, wild rice beds on lakes and rivers, and sensitive habitats such as old growth sites or lowland habitats which support rare, endangered or sensitive plant species.

WS only works on Tribal lands if a request for assistance is received from the Tribal government and an "*Agreement for Control*" and/or Memorandum of Understanding (MOU) is signed. Currently WS has a program-wide MOU with the Forest County Potawatomi Community. WS also has a recurring Cooperative Service Agreement (CSA) with the Sokaogan Chippewa Community for a beaver damage management program focused on the restoration and protection of coldwater fisheries habitat and wild rice beds and a recurring CSA with GLIFWC for the restoration and protection of wild rice beds in ceded territory. The Bad River Band has also worked with APHIS-WS on beaver damage management, assisting with brook trout habitat restoration and also removal of beavers causing flooding near a highway. This EA analyzes the

potential impacts of WS BDM to Tribal resources including ceded territory resources co-operatively managed by the state of Wisconsin and the Wisconsin Tribes included in the Voigt Decision.

ALTERNATIVES THAT WERE FULLY EVALUATED

Five alternatives were developed by the multi-agency team to address the issues identified above. Four additional alternatives were considered but not analyzed in detail. Reasons for not considering the alternatives in detail are presented in the EA. The following is a summary of the management alternatives considered.

Alternative 1. No WS Beaver Damage Management in Wisconsin.

This alternative would eliminate all WS beaver damage management (operational and technical assistance) in Wisconsin. Wildlife Services would not be available to provide technical assistance or make recommendations to individuals or entities experiencing beaver damage. Requests for information or assistance with beaver damage management would be referred to the WDNR, extension agents, local animal control agencies, or private businesses or organizations as appropriate. Under this alternative, the WDNR would be responsible for most beaver damage management assistance. Given budget and staff limitations, the WDNR will likely seek alternatives for authorizing others to conduct beaver damage management (i.e., through permits). Damage management methods and devices might be applied by people with less training and experience than WS specialists. This could require more effort and cost to achieve the same level of problem resolution, and could result in more risk to human health and safety and non-target animals than an operational program by WS.

Alternative 2. Only Lethal Beaver Damage Management by WS.

Under this alternative, WS would only provide operational and technical assistance with lethal beaver damage management methods. Requests for information or assistance with nonlethal beaver damage management would be referred to the WDNR, extension agents, local animal control agencies, or private businesses or organizations as appropriate. This alternative would not allow WS to consider the use of physical exclusion or other non-lethal devices, even where these non-lethal methods may be beneficial. Lethal methods used by WS would include snares, shooting, and trapping.

Alternative 3. WS Fully Integrated Beaver Damage Management for all Public, Tribal and Private Land (No Action / Proposed Action).

The No Action alternative is a procedural NEPA requirement (40 CFR 1502.14(d)), and is a viable and reasonable alternative that could be selected, and serves as a baseline for comparison with the other alternatives. The No Action Alternative, as defined here, would be the continuation of the current beaver damage management program. Wildlife Services would continue to use an Integrated Wildlife Damage Management approach, including lethal and nonlethal methods, to reduce beaver damage and conflicts in Wisconsin. Wildlife Services would encourage resource owners to use non-lethal methods including environmental manipulation, habitat modification, and exclusion. Operational assistance from WS could

include installation of water control structures or exclusion devices and dam removal. Lethal methods used by WS would include snares, trapping and shooting. Non-lethal methods would be given first consideration, but may not always be implemented based on the damage/nuisance situation.

Alternative 4. Technical Assistance Only

Under this alternative, WS would not conduct any operational beaver damage management in Wisconsin. Wildlife Services would only provide technical assistance for problem beaver when requested. This alternative would place the immediate burden of operational beaver damage management on the landowners and land management agencies where beaver problems exist. Given budget and staff limitations, the WDNR and USFS will likely seek alternatives for authorizing others to conduct beaver damage management (i.e., through permits). Damage management methods and devices might be applied by people with less training and experience than WS specialists. This could require more effort and cost to achieve the same level of problem resolution, and could result in more risk to human health and safety and non-target animals than an operational program by WS.

Alternative 5. Non-lethal Beaver Damage Management by WS.

Under this alternative, WS would not conduct any lethal operational beaver damage management. Wildlife Services would encourage resource owners to use non-lethal methods which could include environmental manipulation, habitat modification, and exclusion. WS would only provide technical assistance or conduct trap and relocation activities for problem beavers when requested. Captured beavers would be relocated to suitable areas in accordance with applicable regulations and policies and consultations between WS, the WDNR, USFS and Tribes as appropriate. Landowners and land management agencies would be responsible for lethal beaver management.

CONSISTENCY

Wildlife damage management activities conducted in Wisconsin are consistent with Work Plans MOUs and policies of WS, the WDNR, USFWS, USFS, and Wisconsin Tribes requesting assistance. In addition, WS has completed ESA Section 7 Consultations with the USFWS for the damage management activities proposed in the EA. The USFWS has concluded that so long as WS actions are conducted in accordance with protective measures established in the Section 7 consultations, the proposed action will either have no effect on or may affect but is unlikely to adversely affect federally-listed threatened and endangered species. WS has also consulted with the WDNR regarding risks to state-listed threatened and endangered species. The WDNR has concurred with WS' determination that the proposed action will not adversely impact state populations of T&E species.

The Coastal Zone Management Act of 1972, as amended (16 USC 1451-1464, Chapter 33; P.L. 92-583, October 27, 1972; 86 Stat. 1280) requires that federal actions be conducted in a manner consistent with the federally approved state Coastal Zone Management Plans. The WS program has consulted with the Wisconsin Department of Administration, Coastal Management Program.

The Coastal Management Program has reviewed the materials presented and has determined that a formal consistency review is not warranted at this time (letter from K. Angel, Wisconsin Department of Administration to WS, 1/10/2013).

MONITORING

WS will continue to monitor the impacts of its activities on the issues analyzed in detail in the EA including impacts on the state beaver population and non-target species that could be affected by BDM activities. This review will primarily be conducted by reporting and closely coordinating WS' BDM activities with the WDNR to ensure that cumulative impacts of WS' actions in combination with all other beaver management activities are not having an adverse impact on the beaver or non-target species populations. The EA will also be reviewed to ensure that there are no new needs, issues or impacts meriting additional analysis.

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 believe that the issues identified in the EA are best addressed by selecting Alternative 3 - WS Fully Integrated Beaver Damage Management for all Public, Tribal and Private Land (No Action / Proposed Action). This alternative has been selected because (1) it best enables WS to provide prompt, professional assistance with beaver damage and conflicts in Wisconsin; (2) 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; (3) it presents the greatest chance of maximizing net benefits while minimizing adverse impacts to public health and safety; and (4) it offers a balanced approach to the issues of humaneness and aesthetics when all facets of these issues are considered.

The analysis 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:

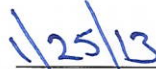
1. Beaver damage management as proposed in the EA is not regional or national in scope.
2. The proposed action would pose minimal risk to public health and safety. Risks to the public from WS' BDM methods were determined to be low in a formal risk assessment (USDA 1997 Pages P12-P14, P16-P21, P23-P32).
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. Built-in mitigation measures that are part of the action agencies' Standard Operating Procedures and adherence to applicable laws and regulations will further ensure that the agencies' activities do not harm the environment.

4. The effects on the quality of the human environment are not highly controversial. Although there is opposition to beaver damage management proposed in the preferred alternative, this action is not highly controversial in terms of size, nature, or effect. Public controversy over beaver management has been acknowledged and addressed in the EA.
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. Authorization issued by the WDNR will be reviewed and renewed annually.
7. No significant cumulative effects were identified through this assessment. The EA discussed cumulative effects on 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.
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. If an individual activity with the potential to affect historic resources is planned under the selected alternative, then site-specific consultation as required by Section 106 of the NHPA would be conducted as necessary.
9. The USFWS has determined that the proposed program, if conducted in accordance with the provisions of the consultation, would have no effect on, or is not likely to adversely affect any Federal listed threatened or endangered species. This determination is based upon a Section 7 consultation completed by the USFWS (consultation letter dated October 31, 2012) for activities described in the EA. In addition WS and the WDNR have determined that the proposed program will not adversely affect any State-listed threatened or endangered species, (WDNR Bureau of Endangered Resources letter, October 29, 2012.)
10. The proposed action will be in compliance with all applicable federal, state, and local laws.

Therefore, it is my decision to implement the proposed action (Alternative 3). Copies of the EA are available upon request from the Wisconsin Wildlife Services State Office, 732 Lois Dr, Sun Prairie WI 53590, (608) 837-2727, on the WS website at: http://www.aphis.usda.gov/wildlife_damage/nepa.shtml.



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



Date

LITERATURE CITED:

The Wildlife Society. 1992. Conservation policies of The Wildlife Society: A stand on issues important to wildlife conservation. The Wildlife Society, Bethesda, Md. 24pp.

USDA, APHIS, WS. 1996 . Environmental Assessment (EA) Beaver Damage Management in Wisconsin. State Director, USDA/APHIS/WS, 732 Lois Dr. Sun Prairie, WI 53590.

USDA (United States Department of Agriculture). 1997, Revised. Final Environmental Impact Statement. USDA, Animal and Plant Health Inspection Service, Wildlife Services, Operational Support Staff, 4700 River Road, Unit 87, Riverdale, MD 20737.