

**DECISION
AND
FINDING OF NO SIGNIFICANT IMPACT**

**WILDLIFE DAMAGE MANAGEMENT AT BALTIMORE/WASHINGTON
INTERNATIONAL THURGOOD MARSHALL AIRPORT¹**

I. INTRODUCTION

The United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS) program prepared an environmental assessment (EA) to evaluate potential impacts to the human environment from the implementation of a management program to address threats to human safety and property associated with wildlife at the Baltimore/Washington International Thurgood Marshall airport. The EA documents the need to reduce threats of aircraft striking wildlife at the airport and analyzes various alternatives to reduce those threats from birds and mammals.

Bird species addressed in the EA include red-winged blackbirds (*Agelaius phoeniceus*), European starlings (*Sturnus vulgaris*), brown-headed cowbirds (*Molothrus ater*), eastern meadowlarks (*Sturnella magna*), horned larks (*Eremophila alpestris*), killdeer (*Charadrius vociferous*), Canada geese (*Branta canadensis*), mallards (*Anas platyrhynchos*), other ducks (family Anatidae), Bonaparte's gulls (*Larus philadelphia*), herring gulls (*Larus argentatus*), laughing gulls (*Larus atricilla*), ring-billed gulls (*Larus delawarensis*), terns (*Sterna* spp.), great blue herons (*Ardea herodias*), cattle egrets (*Bubulcus ibis*), great horned owls (*Bubo virginianus*), barred owls (*Strix varia*), red-tailed hawks (*Buteo jamaicensis*), red-shouldered hawks (*Buteo lineatus*), black vultures (*Coragyps atratus*), turkey vultures (*Cathartes aura*), American kestrels (*Falco sparverius*), wild turkeys (*Meleagris gallopavo*), mourning doves (*Zenaidura macroura*), rock pigeons (*Columba livia*), barn swallows (*Hirundo rustica*), tree swallows (*Tachycineta bicolor*), American crows (*Corvus brachyrhynchos*), common grackles (*Quiscalus quiscula*), blue jays (*Cyanocitta cristata*), northern cardinals (*Cardinalis cardinalis*), house sparrows (*Passer domesticus*), grasshopper sparrows (*Ammodramus savannarum*), and northern mockingbirds (*Mimus polyglottos*).

Mammal species addressed in the EA include white-tailed deer (*Odocoileus virginianus*), coyotes (*Canis latrans*), red fox (*Vulpes vulpes*), gray fox (*Urocyon cinereoargenteus*), raccoons (*Procyon lotor*), Virginia opossums (*Didelphis virginianus*), feral cats (*Felis* spp.), feral dogs (*Canis* spp.), striped skunks (*Mephitis mephitis*), cottontail rabbits (*Sylvilagus floridanus*), beaver (*Castor canadensis*), and woodchucks (*Marmota monax*).

Comments from the public involvement process were reviewed for substantive issues and alternatives which were considered in developing the Decision for the EA. After consideration of the analyses contained in the EA and review of public comments, a Decision and Finding of No Significant Impact (FONSI) were issued on October 7, 2003 for the EA. The Decision and FONSI selected the proposed action to implement an integrated damage management program at the airport using multiple methods to adequately address the need to reduce threats of aircraft striking wildlife at the airport.

The EA was prepared to: 1) facilitate planning and interagency coordination, 2) streamline program management, and 3) clearly communicate to the public the analysis of cumulative impacts. The EA ensured WS' actions complied with NEPA, with the Council on Environmental Quality (40 CFR 1500),

¹The official name of the Baltimore/Washington International Airport has been changed to Baltimore/Washington International Thurgood Marshall Airport (BWI Marshall). For clarification, all reference to the airport will use the new official name of the airport and will be synonymous with any reference to the airport in the EA

and with APHIS' NEPA implementing regulations (7 CFR 372). All activities conducted at the airport and surrounding areas to reduce threats of aircraft strikes are conducted consistent with: 1) the Endangered Species Act of 1973, including consultation with the U.S. Fish and Wildlife Service (USFWS), 2) Executive Order (EO) 13112², EO 13186³, EO 12898⁴, and EO 13045⁵, 3) the Federal Insecticide, Fungicide, and Rodenticide Act, and 4) federal, state and local laws, regulations and policies.

To ensure WS' activities were within the scope of analyses in the EA and to clearly communicate to the public the analysis of potential cumulative impacts, a summary report of WS' activities at the airport was prepared along with a supplement to the EA. The supplement evaluates the potential impacts to the quality of the human environment from a proposed increase in WS' activities to address increasing requests for assistance to manage wildlife threats at the airport. The summary report and supplement to the EA are two separate analyses, however, they were combined into a single record to simplify WS' environmental processes and reduce the volume of paper. This new Decision is based on the analyses in the EA, the 2003 Decision/FONSI, the summary report, and the proposed supplement to the EA⁶.

II. PROPOSED SUPPLEMENT TO THE EA

The supplement to the EA analyzes the affected environment and potential impacts as it relates to the need for an increase in damage management activities at the airport and surrounding areas to address increasing threats associated with three bird species and two mammal species. Threats associated with American kestrels, killdeer, mourning doves, red fox, and woodchucks have increased at the airport since the EA was developed and the Decision was signed. Through wildlife hazard assessments conducted at the airport, those three bird species and two mammal species are increasingly present on the airport and the surrounding areas which increases the potential for aircraft strikes which could threaten passenger safety. Therefore, the supplement to the EA evaluates the use of non-lethal and lethal methods to address the increasing threat, including the potential for increased take of those species. WS would continue to use an integrated approach to reducing threats at the airport. The supplement also identifies and analyzes new information and methods that have become available since the completion of the EA and the last annual monitoring report.

III. SUMMARY OF WS' BIRD DAMAGE MANAGEMENT ACTIVITIES

The supplement to the EA also contains a summary report that analyzes WS' activities to reduce threats associated with wildlife at the airport, including any potential cumulative impacts, since the completion of the Decision in 2003. The report summarizes WS' activities based on the annual monitoring reports which are prepared to ensure WS' activities are within the scope of analyses in the EA. Based on the annual monitoring reports and the summary report, WS' activities to reduce threats at the airport were within the scope of potential impact parameters evaluated in the EA except for those species that were

² Executive Order 13112 states that each Federal agency whose actions may affect the status of invasive species shall, to the extent practicable and permitted by law; 1) reduce invasion of exotic species and the associated damages, 2) monitor invasive species populations, provide for restoration of native species and habitats, 3) conduct research on invasive species and develop technologies to prevent introduction, and 4) provide for environmentally sound control, promote public education on invasive species.

³ Executive Order 13186 directs federal agencies to protect migratory birds and strengthen migratory bird conservation by identifying and implementing strategies that promote conservation and minimize the take of migratory birds through enhanced collaboration. A National-level MOU between the USFWS and WS is being developed to facilitate the implementation of Executive Order 13186.

⁴ Executive Order 12898 promotes the fair treatment of people of all races, income levels and cultures with respect to the development, implementation and enforcement of environmental laws, regulations and policies.

⁵ Executive Order 13045 ensures the protection of children from environmental health and safety risks since children may suffer disproportionately from those risks.

⁶ Copies of the EA, the 2003 Decision/FONSI, the supplement to the EA, and the summary report are available for review by sending a request to State Director, USDA-APHIS-WS, 1568 Whitehall Road, Annapolis, MD 21409 or by visiting the APHIS website at http://www.aphis.usda.gov/wildlife_damage/nepa.shtml.

addressed in the supplement to the EA. Through the summary report and annual monitoring reports an increasing need to reduce threats to kestrels, killdeer, mourning doves, red fox, and woodchucks was identified which prompted the development of the supplement to the EA. No additional issues have been identified through public involvement, from program activities, through analyses in the annual monitoring reports, or through the analyses conducted in the supplement to the EA.

IV. PUBLIC INVOLVEMENT

The supplement to the EA, which includes the summary report, was made available to the public through a legal notice published in the *Capitol-Gazette*. The notice was published for three consecutive days beginning on April 9, 2008. A notice of availability was also posted to the APHIS website at http://www.aphis.usda.gov/wildlife_damage/nepa.shtml beginning on April 9, 2008. The public comment period began on April 9, 2008 and ended on May 9, 2008. A letter of availability was also mailed directly to agencies, organizations, and individuals with probable interest in the proposed program. No comments were received from the public during the comment period.

V. ALTERNATIVES THAT WERE FULLY EVALUATED IN THE EA

The following four alternatives were developed in response to the issues identified in the EA and through public involvement:

- Alternative 1 – WS' Integrated Wildlife Damage Management (WDM) program (No Action/Proposed Action)
- Alternative 2 – WS' Non-lethal WDM program only
- Alternative 3 – WS' lethal WDM program only
- Alternative 4 – No WS' WDM program

The EA contains a detailed description and discussion of the alternatives and the effects of the alternatives on the issues identified. Appendix C of the EA provides a description of the methods that could be used or recommended by WS under each of the alternatives. The supplement to the EA provides additional discussion of methods available for use since the completion of the EA.

VI. ALTERNATIVES CONSIDERED BUT NOT ANALYZED IN DETAIL IN THE EA

The following alternatives were identified and discussed in the EA but were not analyzed in detail:

- Technical Assistance Only
- White-tailed deer population stabilization through birth control
- Live-capture and relocation of white-tailed deer

A complete evaluation and discussion of the alternatives not considered in detail can be found in the EA along with the rationale.

VII. MAJOR ISSUES

The EA contains a detailed discussion of the alternatives on those issues identified. The supplement to the EA and the summary report also contains a detailed analysis of the proposed action relative to the issues identified as related to the need for activities to resolve increasing threats at the airport and to evaluate WS' activities since the Decision/FONSI for the EA was signed in 2003.

The following issues were identified as important to the scope of analysis in the EA:

- Effects on Target Wildlife Species Populations
- Effects on other Wildlife Species Populations, including T&E Species
- Economic Losses to Property as a Result of Wildlife Damage
- Effects on Human Health and Safety
- Effects on Aesthetics
- Humaneness and Animal Welfare Concerns of Lethal Methods Used by WS

VIII. DECISION

The information and analyses in the supplement to the EA and the summary report have been carefully reviewed, including the analyses in the EA, the comments received during the public involvement processes, and the 2003 Decision/FONSI. After review and consideration, the proposed supplement to the proposed action has been determined to be environmentally acceptable by addressing the issues and needs while balancing the environmental concerns of management agencies, landowners, advocacy groups, and the public. The analyses in the EA, the supplement to the EA, and the summary report adequately addresses the identified issues which reasonably confirms that no significant impact, individually or cumulatively, to wildlife populations or to the quality of the human environment are likely to occur from the proposed activities addressed in the EA or supplement to the EA. Therefore, the analysis in the EA, as supplemented, remains valid and does not warrant the completion of an Environmental Impact Statement.

Based on analyses in the EA, the supplement to the EA, and the summary report, the issues identified are best addressed by continuing the proposed action and applying the associated mitigation measures discussed in Chapter 3 of the EA. The proposed action, as addressed in the supplement, successfully addresses (1) threats to aircraft and passenger safety using a combination of the most effective methods and does not adversely impact the environment, property, and/or non-target species, including threatened and endangered species; (2) it offers the greatest chance at maximizing effectiveness and benefits to airport 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 those issues are considered. Further analysis would be triggered if changes occur that broaden the scope of activities, that affect the natural or human environment, or from the issuance of new environmental regulations.

FINDING OF NO SIGNIFICANT IMPACT

Based on the analyses provided in the EA, the 2003 Decision/FONSI, the annual monitoring reports, and the summary report, there continues to be no indications that WS' activities at the airport are having a significant impact, individually or cumulatively, on the quality of the human environment. The analyses in the supplement to the EA also indicates there will not be a significant impact, individually or cumulatively, on the quality of the human environment that would result from increasing WS' activities when conducted within the scope analyzed in the supplement. I agree with this conclusion and therefore, find that an Environmental Impact Statement should not be prepared. This determination is based on the following factors:

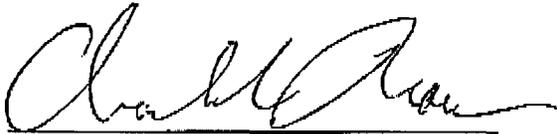
1. Activities to reduce threats of aircraft striking wildlife, as conducted at the airport, are not regional or national in scope.

2. Based on the analyses in the EA, in the supplement, and in the summary report, the proposed action would pose minimal risk to public health and safety. Risks to the public from WS' methods were determined to be low in a formal risk assessment (USDA 1997). The proposed action, as supplemented, is expected to result in a direct beneficial impact on human safety at the airport by reducing threats associated with aircraft striking wildlife.
3. The proposed action, as supplemented, will continue to have no 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' 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, as supplemented, is not likely to cause a controversial disagreement among the appropriate resource professionals.
5. Standard Operating Procedures adopted and/or described as part of the proposed action, as supplemented, minimize risks to the public, prevent adverse affects 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, as supplemented, does not establish a precedent for future actions. This action would not set a precedent for future actions that may be implemented or planned within the State.
7. No significant cumulative effects were identified through the EA, the supplement, and the summary report. The EA, the supplement, and the summary report discussed cumulative effects of WS' activities on target and non-target species populations and concluded that such impacts were not significant. Adverse affects 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. Activities would not disturb soils or any structures at the airport and therefore, would not be considered a federal undertaking as defined by the National Historic Preservation Act.
9. WS determined that the proposed action, as supplemented, would not result in any adverse affects on state or federally-listed threatened or endangered species.
10. The proposed action, as supplemented, is consistent with local, state, and federal laws that provide for and/or restrict WS' activities. Therefore, WS concludes that this project is in compliance with federal, state, and local laws for environmental protection.

IX. DECISION RATIONALE

The rationale for this decision takes into account the analyses in the EA, the analyses in the supplement to the EA, the summary report, comments from public involvement, social/political and economic concerns, public safety, and the best available science. The foremost considerations are that: 1) reducing threats of wildlife strikes at the airport will only be conducted by WS at the request of the airport, 2) management actions are consistent with applicable laws, regulations, policies, and orders, and 3) no adverse impacts to

the environment were identified in the analyses of the EA, the proposed supplement to the EA, in annual monitoring reports, or the summary report. As a part of this decision, the WS program will continue to provide effective and practical technical assistance and direct management techniques that reduce threats of aircraft striking wildlife at the airport that will not adversely impact the quality of the human environment. The analyses in the supplement to the EA, the annual monitoring reports, the summary report, and comments received from public involvement processes did not identify issues or environmental effects not addressed in the EA or the supplement to the EA.



Charles S. Brown, Eastern Regional Director
USDA/APHIS/WS

6/2/08
Date

Literature Cited:

USDA. 1997. Animal Damage Control Program - Final Environmental Impact Statement - Revised October 1997. USDA/APHIS/WS-Operational Support Staff, 4700 River Road, Unit 87, Riverdale, MD 20737.