

**DECISION  
AND  
FINDING OF NO SIGNIFICANT IMPACT**

**ENVIRONMENTAL ASSESSMENT – REDUCING PIGEON, STARLING, AND  
SPARROW DAMAGE THROUGH AN INTEGRATED WILDLIFE DAMAGE MANAGEMENT  
PROGRAM IN THE COMMONWEALTH OF VIRGINIA**

**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 analyze the potential environmental and social effects of resolving Rock Pigeon (feral pigeons) (*Columbia livia*), European Starling (*Sturnus vulgaris*), and House Sparrow (*Passer domesticus*) damage related to the protection of property, agricultural commodities, natural resources, and human health and safety in the Commonwealth of Virginia (USDA 2000). The EA documents the need for bird damage management in the Commonwealth and assesses potential impacts on the human environment of five alternatives to address that need. WS' proposed action in the EA implements an integrated bird damage management program in the Commonwealth to fully address the need for pigeon, starling, and sparrow damage management while minimizing impacts to the human environment. For the purposes of this document, pigeon, starling, and sparrow will refer to the Rock Pigeon, European Starling, and House Sparrow, respectively.

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 analysis contained in the EA and review of public comments, a Decision and Finding of No Significant Impact (FONSI) for the EA was issued on August 18, 2000. The Decision and FONSI selected Alternative 3 (proposed action) to implement an integrated bird damage management program in the Commonwealth of Virginia using multiple methods to adequately address the need for Rock Pigeon, European Starling, and House Sparrow damage management. Copies of the EA and 2000 Decision/FONSI are available for review from USDA/APHIS/WS, P.O. Box 130, Moseley, Virginia 23120 or by visiting WS' website at [http://www.aphis.usda.gov/wildlife\\_damage/nepa.shtml](http://www.aphis.usda.gov/wildlife_damage/nepa.shtml).

This new Decision/FONSI is being prepared to: 1) facilitate planning and interagency coordination, 2) streamline program management, and 3) clearly communicate to the public the analysis of individual and cumulative impacts of the current program since 2000. This new Decision/FONSI ensures WS' actions comply with NEPA, with the Council on Environmental Quality (40 CFR 1500), and with APHIS' NEPA implementing regulations (7 CFR 372). All bird damage management activities, including disposal requirements, are conducted consistent with: 1) the Endangered Species Act of 1973, 2) Migratory Bird Treaty Reform Act of 2004 3) Executive Order (EO) 12898<sup>1</sup>, EO 13045<sup>2</sup>, EO 13112<sup>3</sup>, and EO 13186<sup>4</sup>, 4) the

<sup>1</sup> 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.

<sup>2</sup> Executive Order 13045 ensures the protection of children from environmental health and safety risks since children may suffer disproportionately from those risks.

<sup>3</sup> 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.

<sup>4</sup> 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 between WS and the

Federal Insecticide, Fungicide, and Rodenticide Act, and 5) Federal, State, and local laws, regulations and policies.

Wildlife Services is authorized by law to reduce damage caused by wildlife (Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426-426b) as amended, and the Act of December 22, 1987 (101 Stat. 1329-331, 7 U.S.C. 426c). Wildlife damage management is the alleviation of damage or other problems caused by or related to the presence of wildlife. Wildlife damage management is an integral part of wildlife management (The Wildlife Society 1992). WS uses an integrated wildlife damage management approach, commonly known as Integrated Pest Management (WS Directive 2.105) in which a combination of methods may be used or recommended to reduce damage. Wildlife damage management conducted by WS is not based on punishing offending animals but as one means of reducing damage and is used as part of the WS' Decision Model (Slate et al. 1992, USDA 1997, WS Directive 2.201). All WS' activities are in compliance with relevant laws, regulations, policies, orders and procedures, including the Endangered Species Act of 1973.

## **II. Monitoring**

The WS' program in the Commonwealth of Virginia will annually review its impacts on issues identified in the EA to ensure that program activities do not impact the viability of target and non-target wildlife species populations. In addition, the EA will be reviewed each year to ensure the analyses are sufficient.

## **III. Relationship to Other Environmental Documents**

**WS' Programmatic Environmental Impact Statement:** WS has developed a programmatic Final Environmental Impact Statement (FEIS) that addresses the need for wildlife damage management in the United States (USDA 1997). The FEIS contains detailed discussions of potential impacts to the human environment from wildlife damage management methods used by WS. The EA developed by WS for bird damage management activities in the Commonwealth of Virginia is tiered to WS' FEIS. Pertinent information available in the FEIS has been incorporated by reference into the EA and this Decision/FONSI. Copies of the FEIS are available from USDA/APHIS/WS Operational Support Staff, 4700 River Road, Unit 87, Riverdale, MD 20737-1234.

## **IV. Public Involvement**

The pre-decisional EA was prepared and released to the public for a 30-day comment period from May 18 – June 17, 2000, by a legal notice that ran for three days in the *Richmond Times Dispatch*, *Roanoke Times*, *Virginian - Pilot*, and *Washington Times*. The pre-decisional EA was also mailed directly to agencies, organizations, and individuals with probable interest in the proposed program. WS sent 299 letters to local, state and federal agencies, organizations, businesses, and individuals soliciting comments on the pre-decisional EA. To further facilitate comments, the 30-day public comment period was extended nine days. WS received two comment letters during the public comment period. A comment letter was received from a private organization along with one summary letter containing comments from eight different state agencies. All comments were analyzed to identify substantive new issues, alternatives, or to redirect the program. Comments received expressed concerns for the non-target hazards of using registered pesticides which were addressed in Section 3.3.3 and Appendix B of the EA, the use of non-lethal methods before lethal methods which was discussed in section 3.2.3 of the EA, and WS' bird damage management activities competing with the private sector which WS responded to in the 2000 Decision/FONSI. All letters are maintained in the administrative file located at USDS/APHIS/WS, P.O. Box 130, Moseley, Virginia, 23002.

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USFWS, in coordination with state, tribal, and local governments. A National-level MOU between the USFWS and WS is being developed to facilitate the implementation of Executive Order 13186.

This new Decision/FONSI along with the EA and 2000 Decision/FONSI will be made available for public review and comment through a legal notice announcing a 30-day comment period which will be published in the *Richmond Times Dispatch* and posted on the WS' website at [http://www.aphis.usda.gov/wildlife\\_damage/nepa.shtml](http://www.aphis.usda.gov/wildlife_damage/nepa.shtml). The new Decision/FONSI will also be directly mailed to agencies, organizations, and individuals with probable interest in the proposed program. Comments received after publication of the legal notices notifying the public of this new Decision/FONSI will be fully considered for new substantive issues and alternatives. Unless new substantial issues are brought to WS' attention, the new Decision/FONSI will take effect upon the close of the comment period.

## V. Affected Environment

The proposed action could be conducted on private, federal, state, tribal, and municipal lands in the Commonwealth of Virginia to protect agricultural commodities, natural resources, property, and public health and safety. The affected environment includes, but is not necessarily limited to, areas in and around buildings and parks, bridges, industrial sites, urban/suburban woodlots, and on ship fleets, where pigeons, starlings, and sparrows may roost, loaf, or nest. Damage management activities may also be conducted at agricultural fields, vineyards, orchards, farmyards, grain mills, and grain handling areas (e.g. railroad yards) where pigeons, starlings, or sparrows destroy crops, feed on spilled grains, or contaminate food products for human or livestock consumption. Additionally, the area of the proposed action would include airports and surrounding property where pigeons, starlings, and sparrows represent a threat to aviation safety.

## VI. Major Issues

The following issues were identified as important to the scope of the analysis (40 CFR 1508.25).

1. Effects on Other Wildlife Species, including T&E Species
2. Effects on Public Health and Safety
3. Impacts to Stakeholders, including Aesthetics

In addition to the identified major issues considered in detail, one issue was considered but not in detail, with rationale in the EA.

**1. Effects on other wildlife species, including T&E species:** The EA concluded that there would be no probable effects on other wildlife species. No effects on threatened and endangered (T&E) species are expected as a result of mitigation measures which were outlined in the EA (Section 3.6). Fifteen animal species and 2 plant species have been added to the U.S. Fish and Wildlife Service (USFWS) T&E species list since preparation of the EA and signing of the Decision/FONSI in 2000. These species include the following: Cumberland (pearlymussel) bean (*Villosa trabalis*), American burying beetle (*Nicrophorus americanus*), Eskimo curlew (*Numenius borealis*), eastern puma (*Concolor cougar*), green sea turtle (*Chelonia mydas*), hawksbill sea turtle (*Eretmochelys imbricata*), Kemp's ridley sea turtle (*Lepidochelys kempii*), leatherback sea turtle (*Dermochelys coriacea*), loggerhead sea turtle (*Caretta caretta*), shortnose sturgeon (*Acipenser brevirostrum*), northeastern beach tiger beetle (*Cicindela dorsalis dorsalis*), finback whale (*Balaenoptera physalus*), humpback whale (*Megaptera novaeangliae*), right whale (*Balaena glacialis*), gray wolf (*Canis lupus*), Seabeach amaranth (*Amaranthus pumilus*), and American chaffseed (*Schwalbea Americana*). No adverse impacts are expected for any of the T&E species on the current list.

**2. Effects on Public Health and Safety:** Pigeons, starlings, and sparrows are closely associated with human habitation and often exhibit gregarious behavior. This gregarious behavior leads to accumulations of fecal

droppings that can be considered a threat to human health and safety due to the close association of these three species of birds with human activity. Accumulations of bird droppings in public areas are aesthetically displeasing and are often in areas where humans may come in direct contact with fecal droppings. The EA concluded that the use of methods under an integrated pigeon, starling, and sparrow damage management program would result in a reduction in threats to public health and safety by eliminating or reducing sources of fecal droppings.

The EA also concluded that WS' pigeon, starling, and sparrow damage management activities would not cause any adverse impacts to public health and safety. WS' activities from 2001 through 2006 did not result in any adverse impacts to public health and safety. WS' methods and their potential impacts on public health and safety have not changed from those analyzed in the EA. Impacts of the program on this issue are expected to remain insignificant.

**3. Impacts to stakeholders, including aesthetics:** The EA concluded the effects on aesthetics would be variable depending on the damage situation, stakeholders' values towards wildlife, and their compassion for those who are experiencing damage from pigeons, starlings, and/or sparrows. The ability to view and enjoy the aesthetic value of pigeons, starlings, or sparrows at a particular site would be somewhat limited if the birds were removed as part of an integrated damage management program. However, new birds would most likely use the site in the future, although the length of time until these birds arrive is variable, depending on the site, time of year, and population densities of pigeons, starlings, or sparrows in the surrounding areas. The opportunity to view pigeons, starlings, and sparrows would be available if a person makes the effort to visit sites outside of the damage management area. The potential impacts from program activities and methods on stakeholders and aesthetics have not changed from those analyzed in the EA. Impacts of the program on this issue are expected to remain insignificant.

## **VII. Alternatives Analyzed in Detail**

Five alternatives were developed to address the issues identified above. One additional alternative was considered but not analyzed in detail. A detailed discussion of the anticipated effects of the alternatives on the issues is contained in the EA. The following summary provides a brief description of each alternative and its anticipated impacts.

### **Alternative 1. No WS' Pigeon, Starling, or Sparrow Damage Management in Virginia.**

This alternative would result in no assistance from WS in reducing pigeon, starling, or sparrow damage in the Commonwealth of Virginia. WS would provide no technical assistance or operational damage management services. All requests for pigeon, starling, or sparrow damage management assistance would not be responded to by WS and would be referred to the Virginia Department of Agriculture and Consumer Services (VDACS), local animal control agencies, or private businesses or organizations. Assistance may or may not be available from any of these entities. Damage management methods could be implemented by resource owners, private businesses, or volunteers.

### **Alternative 2. Only Lethal Pigeon, Starling, and Sparrow Damage Management.**

Under this alternative, only lethal operational pigeon, starling, and sparrow damage management and technical assistance would be provided by WS. WS would not conduct or recommend the use of physical exclusion or harassment, even where these non-lethal methods may be beneficial. Requests for information regarding non-lethal management approaches would be referred to VDACS, local animal control agencies, or private businesses or organizations. Individuals or agencies might choose to implement WS' lethal recommendations, implement non-lethal methods or other methods not recommended by WS, contract for WS' damage management services, use contractual services of private businesses, use volunteer services of

private organizations, or take no action. Lethal methods available to WS would include shooting, trapping, and pesticide application.

**Alternative 3. Continue the Current Fully Integrated Pigeon, Starling, and Sparrow Damage Management for all Land Classes (No Action /Proposed Action).**

The proposed action to continue the current program is the preferred alternative of WS because it incorporates an integrated damage management approach using effective methods, as appropriate, to reduce conflicts associated with pigeons, starlings, and sparrows in the Commonwealth of Virginia. An integrated damage management strategy would be recommended and used, encompassing the use of practical and effective methods of preventing or reducing damage while minimizing harmful effects of damage management measures on humans, other species, and the environment. Under this alternative, WS would provide both technical assistance and operational damage management services. Non-lethal methods would be given first consideration in the formulation of each damage management strategy, and would be recommended or implemented when practical and effective before recommending or implementing lethal methods. However, non-lethal methods would not always be applied as a first response to each damage problem. The most appropriate response could often 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.

**Alternative 4. Technical Assistance Only.**

This alternative would only allow WS to provide technical assistance and make recommendations to individuals or agencies requesting pigeon, starling, or sparrow damage management in the Commonwealth and would place the immediate burden of operational damage management work on other federal, state, or county agencies, private businesses, and property owners. Technical assistance would occur by providing interested cooperators with information and technical advice on the use of methods available for use to manage bird damage.

**Alternative 5. Non-lethal Pigeon, Starling, and Sparrow Damage Management.**

Under this alternative, only non-lethal management approaches would be used or recommended by WS. Both technical assistance and operational damage management services would be provided. Requests for lethal wildlife damage management services would be referred to the other entities.

**VIII. Alternatives considered but not analyzed in detail**

**Population stabilization through birth control.**

Under this alternative, pigeon, starling, and sparrow populations would be managed through the use of contraceptives. Pigeons, starlings, or sparrows would be sterilized or contraceptives administered to limit their ability to produce offspring. However, at present, there are no chemical or biological contraceptive agents for pigeons, starlings, or sparrows. A pigeon, starling, or sparrow contraceptive or chemosterilant, if delivered to a sufficient number of individuals, could temporarily suppress local breeding populations by inhibiting reproduction. Reduction of local populations would result from natural mortality combined with reduced fecundity. No pigeons, starlings, or sparrows would be killed directly with this method; however, sterilized birds would continue to cause damage. Populations of dispersing pigeons, starlings, and sparrows would probably be unaffected. The use of contraceptives is not realistic, at this point, since there are no effective contraceptives, nor legal methods of delivering contraceptives to pigeons, starlings, or sparrows.

**IX. Summary of WS' Pigeon, Starling, and Sparrow Damage Management Activities**

WS has conducted bird damage management activities from 2001 through 2006 in the Commonwealth of

Virginia. WS' continued to provide technical assistance and operational damage management to cooperators requesting assistance with managing damage caused by Rock Pigeons (feral pigeons), European Starlings, and House Sparrows. From 2001 through 2006, the WS' program in the Commonwealth lethally removed 15,177 pigeons, 11,927 starlings, and 375 House Sparrows by shooting, trapping, and the use of the avicide DRC-1339 (See Table 1). A total of 2 pigeon nests, 5 starling nests, and 121 sparrow nests were also removed or destroyed. Additionally, the WS' program in the Commonwealth non-lethally dispersed 2,272 pigeons and 283,547 starlings. A total of 264 pigeon, 333 starling, and 31 sparrow technical assistance projects were conducted from 2001 through 2006.

**Table 1. Lethal take of pigeons, starlings, and sparrows by the Virginia WS' program from 2001 - 2006.**

Fiscal Year	Rock Pigeons	European Starlings	House Sparrows
2001	2,487	5,232	55
2002	3,016	660	86
2003	2,815	499	22
2004	2,768	510	100
2005	2,254	365	28
2006	1,837	4,661	84
<b>Total</b>	<b>15,177</b>	<b>11,927</b>	<b>375</b>

## X. Environmental Consequences

Wildlife Services has reviewed the EA and has determined that the environmental impacts on the quality of the human environment from activities conducted pursuant to the EA will continue to be insignificant, and that no substantive changes in the analysis are necessary at this time. From 2001 through 2006, the level of WS' annual take of pigeons, starlings, and sparrows in the Commonwealth of Virginia falls within the scope of analysis provided in the EA. Any changes in the scope, methods, or a change in environmental rules or regulations may trigger additional analysis.

## XI. Decision and Rationale

I have carefully reviewed the EA, the comments received during the 2000 public involvement process, and this Decision/FONSI. I find the proposed program 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 addresses the identified issues which reasonably confirm that no significant impact, individually or cumulatively, to wildlife populations or 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 remains valid and does not warrant the completion of an Environmental Impact Statement.

Based on the EA, the issues identified are best addressed by selecting Alternative 3 - Continue the Current Fully Integrated Pigeon, Starling, and Sparrow Damage Management for all Land Classes (Proposed Action/No Action) and applying the associated mitigation measures discussed in Chapter 3 of the EA. Alternative 3 successfully addresses (1) pigeon, starling, and sparrow damage management using a combination of the most effective methods and does not adversely impact the environment, property, and/or non-target species, including T/E species (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.. Further analysis would be triggered if changes occur that broaden the scope of pigeon, starling, and house sparrow damage management activities, that affect the natural or human environment, or from the issuance of new environmental regulations.

The rationale for my 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 will only be conducted by WS at the request of landowners/managers, 2) management actions are consistent with applicable laws, regulations, policies and orders, and 3) no adverse impacts to the environment were identified in the analysis. As a part of this Decision, the WS' program in the Commonwealth of Virginia will continue to provide effective and practical technical assistance and direct management techniques that reduce damage.

The WS' program will implement the proposed action in compliance with all applicable standard operating procedures in Chapter 3 of the EA. This Decision/FONSI will take effect 30 days after publication of a legal notice making the EA, the 2000 Decision/FONSI, and this Decision/FONSI available to the public for review and comment. New issues or alternatives raised after publication of public notices will be fully considered to determine whether the EA and this Decision should be revisited and, if appropriate, revised, or if a Notice of Intent to prepare an EIS should be issued.

#### **FINDING OF NO SIGNIFICANT IMPACT**

The analyses provided in the EA, the 2000 Decision/FONSI, and this Decision document indicates that there will not be a significant impact, individually or cumulatively, on the quality of the human environment as a result of the proposed action. 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. Pigeon, starling, and sparrow damage management, as conducted in the Commonwealth of Virginia is not regional or national in scope.
2. The proposed action will not have an impact on unique characteristics of areas such as historical or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecological critical areas.
3. The proposed action will not significantly affect public health and safety.
4. The effects on the quality of the human environment are not highly controversial. Although there is opposition to government-sponsored damage management, this action in the Commonwealth is not controversial in relation to size, nature or effects.
5. Standard operating procedures adopted as part of the proposed action lessen risks to the public and prevent adverse effects on the human environment and reduce uncertainty and risks.
6. The proposed action does not establish precedence for future actions with significant effects. This action would not set precedent for additional WS' damage management that may be implemented or planned in the Commonwealth.
7. The number of animals taken (both target and non-target) annually would be very small in comparison to total populations. Adverse effects on wildlife or wildlife habitats would be minimal.

8. Mammal damage management would not affect cultural or historic resources. The proposed action does not affect districts, sites, highways, structures or objects listed in or eligible for listing in the National Register of Historic Places, nor would it cause a loss or destruction of significant scientific, cultural, or historical resources.

9. An evaluation of the proposed action and its effects on state and federally listed T/E species determined that no significant adverse effects would be created for these species. The proposed action complies fully with the Endangered Species Act of 1973, as amended.

10. This action would be in compliance with federal, state and local laws or requirements for damage management and environmental protection.

11. No significant cumulative effects were identified by this assessment or other actions implemented or planned within the area.

For additional information regarding this decision, please contact USDA/APHIS/WS, P.O. Box 130, Moseley, Virginia 23120.



Robert Hudson  
APHIS-WS  
Acting Eastern Region Director

5/4/07  
Date

**Literature Cited:**

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