

ADOPTION AND FINDING OF NO SIGNIFICANT IMPACT TENNESSEE VALLEY AUTHORITY BIRD DAMAGE MANAGEMENT IN ALABAMA

The United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Alabama Wildlife Services (WS) program receives requests to resolve or prevent damage to agricultural resources, natural resources, and property, including threats to human safety, associated with bird damage. The Tennessee Valley Authority (TVA) continues to experience damage or threats of damage associated with birds at facilities or properties they own in Alabama and may request the assistance of WS to manage the damage or threats of damage at these properties. WS prepared an Environmental Assessment (EA), in coordination with TVA, to evaluate the cumulative effects of WS' actions conducted to manage damage and threats of damage associated with Canada geese (*Branta canadensis*), mallards (domestic/wild) (*Anas platyrhynchos*), feral and free-ranging domestic waterfowl, double-crested cormorants (*Phalacrocorax auritus*), American white pelicans (*Pelecanus erythrorhynchos*), brown pelican (*Pelecanus occidentalis*), great blue herons (*Ardea herodias*), great egrets (*Ardea alba*), cattle egrets (*Bubulcus ibis*), yellow-crowned night-herons (*Nyctanassa violacea*), black vultures (*Coragyps atratus*), turkey vultures (*Cathartes aura*), bald eagles (*Haliaeetus leucocephalus*), golden eagle (*Aquila chrysaetos*), osprey (*Pandion haliaetus*), wood storks (*Mycteria americana*), red-tailed hawks (*Buteo jamaicensis*), American coots (*Fulica americana*), killdeer (*Charadrius vociferus*), laughing gulls (*Leucophaeus atricilla*), ring-billed gulls (*Larus delawarensis*), herring gulls (*Larus argentatus*), rock pigeons (*Columba livia*), Eurasian collared-doves (*Streptopelia decaocto*), mourning doves (*Zenaida macroura*), common nighthawks (*Chordeiles minor*), chimney swifts (*Chaetura pelagica*), peregrine falcon (*Falco peregrinus*), loggerhead shrike (*Lanius ludovicianus*), American crows (*Corvus brachyrhynchos*), purple martins (*Progne subis*), cliff swallows (*Petrochelidon pyrrhonota*), barn swallows (*Hirundo rustica*), American robins (*Turdus migratorius*), European starlings (*Sturnus vulgaris*), red-winged blackbirds (*Agelaius phoeniceus*), Eastern meadowlarks (*Sturnella magna*), common grackles (*Quiscalus quiscula*), brown-headed cowbirds (*Molothrus ater*), and house sparrows (*Passer domesticus*).

In addition to those species, WS could also receive requests for assistance to manage damage and threats of damage associated with several other bird species, but requests for assistance associated with those species would occur infrequently and/or requests would involve a small number of individual birds of a species. Damages and threats of damages associated with those species would occur primarily at airports where individuals of those species pose a threat of aircraft strikes.

WS previously developed an EA that analyzed the need for action to manage damage associated with pigeons, starlings, house sparrows, blackbirds, mourning doves, vultures, and crows (USDA 2007). In addition, WS previously prepared separate EAs to evaluate the need to manage damage associated with waterfowl (USDA 2010) and cormorants (USDA 2005). This EA addresses the current need for action and the associated affected environment, and therefore, the analyses in this EA supersede the previous EAs. TVA has independently reviewed the WS EA, provided comments on the document, and found it to be adequate. TVA is therefore adopting the new WS EA.

WS and TVA defined the issues associated with meeting the need for action and identified preliminary alternatives through consultation with the Alabama Department of Conservation and Natural Resources (ADCNR) and United States Fish and Wildlife Service (USFWS). The new EA analyzes three alternatives in detail to meet the need for action and to address the issues analyzed in detail.

Alternatives

The current WS EA evaluated the potential environmental consequences under three alternatives. Alternative 1 would continue implementation of an adaptive methods approach utilizing non-lethal and lethal techniques, when requested, as deemed appropriate using the WS Decision Model, to reduce damage and threats caused by birds in Alabama. Alternative 2 would limit WS's involvement to providing recommendations on methods that people could use to manage damage without any direct involvement by WS. Under Alternative 3, the WS program in Alabama would not provide any assistance with managing damage associated with birds in the State.

Impacts Assessment

WS and TVA developed six issues related to managing damage associated with birds in Alabama. Each of the issues is discussed in the EA, as those issues relate to the possible implementation and environmental consequences of the three alternatives.

- Issue 1 - Effects of damage management activities on target bird populations;
- Issue 2 - Effects on non-target wildlife species populations, including threatened and endangered species;
- Issue 3 - Effects of damage management methods on human health and safety;
- Issue 4 - Effects on the aesthetic values of birds;
- Issue 5 - Humaneness and animal welfare concerns of methods;
- Issue 6 - Effects of bird damage management activities on the regulated harvest of birds.

Issue 1 - Effects of Damage Management Activities on Target Bird Populations

WS personnel could employ non-lethal and/or lethal methods to resolve a request for assistance. Non-lethal methods consist of capturing, dispersing, excluding, or making an area unattractive to birds causing damage; thereby, potentially reducing the presence of those birds at the site and potentially the immediate area around the site. Lethal methods can remove specific birds that personnel of WS identify as causing damage or posing a threat to human safety. Neither method would adversely affect the populations of the target species under any of the alternatives.

Issue 2 - Effects on Non-Target Wildlife Species Populations, Including Threatened and Endangered Species

To reduce the likelihood of dispersing, capturing, or removing non-target animals, WS would employ the use of attractants that were as specific to the targeted species as possible. WS would use standard operating procedures to reduce any potential adverse effects on non-target animals. These methods are "*not likely to adversely affect*" threatened or endangered species or their designated critical habitats in the State. USFWS concurred with the effects determination made by WS during consultation. This applies to all alternatives.

Issue 3 - Effects of Damage Management Methods on Human Health and Safety

WS' employees would consider risks to human safety when conducting available methods of managing damage caused by birds. The type of wildlife species responsible for causing damage or threats and WS' directives would also be considered. The threats to human safety from the use of methods would be similar across the alternatives.

Issue 4 - Effects on the Aesthetic Values of Birds

Birds may provide aesthetic enjoyment to some people in the State, such as through observations, photographing, and knowing they exist as part of the natural environment. Methods available WS could use under each alternative could result in the dispersal, exclusion, live-capture, or lethal removal of individuals or small groups of birds to resolve damage and threats. However, these methods would not

reach a magnitude that would prevent ability to view birds outside the area where damage was occurring. The aesthetic values of birds would be minimal across the alternatives.

Issue 5 - Humaneness and Animal Welfare Concerns of Methods

The EA also analyzed the issue of humaneness and animal welfare concerns in relationship to methods available under each of the alternatives. The ability of WS to provide direct operational assistance under Alternative 1 would ensure WS' personnel employed methods as humanely as possible. Under the other alternatives, other entities could use methods inhumanely if used inappropriately or without consideration of target animal behavior. However, the skill and knowledge of the person implementing methods to resolve damage would determine the efficacy and humaneness of methods.

Issue 6 - Effects of Bird Damage Management Activities on the Regulated Harvest of Birds

Based on the limited removal proposed by WS and the oversight by the USFWS and/or the Alabama Department of Conservation and Natural Resources (ADCNR), annual removal by WS would have no effect on the ability of those persons interested to harvest certain bird species during the regulated harvest season. The WS program would have no impact on the ability to harvest those species during the annual hunting seasons under Alternative 2 and Alternative 3 since the WS program would have limited involvement with managing damage associated with those species. However, resource/property owners and other entities may remove birds resulting in impacts similar to Alternative 1 under Alternatives 2 and 3. The USFWS and/or the ADCNR could continue to regulate bird populations through adjustments in allowed removal during the regulated harvest season and through permits to manage damage or threats of damage.

Cumulative Impacts of the Proposed Action

No significant cumulative environmental impacts are expected from any of the three alternatives, including TVA and WS's preferred alternative (Alternative 1). The analysis in the EA adequately addressed the identified issues, which reasonably confirmed that an integrated methods approach would not result in significant cumulative adverse effects on the quality of the human environment.

The preferred alternative contemplates that, for any request for assistance, WS will apply the Decision Model which assesses the problem, evaluates management methods available, and then formulates a management strategy and continues to monitor that strategy. Any decision made using the Decision Model would be in accordance with WS' directives and standard operating procedures as well as relevant laws and regulations. The WS EA states, "The monitoring of activities by WS would ensure the EA remained appropriate to the scope of activities conducted by WS in Alabama and damage management activities that WS could conduct on property owned or managed by the TVA under the selected alternative."

Public Involvement

WS made the EA available to the public for review and comment by a legal notice published in the *Montgomery Advertiser* newspaper from January 21, 2016, through January 23, 2016. WS made the draft EA available to the public for review and comment on the APHIS website on January 20, 2016, and on the regulations.gov website beginning on January 13, 2016. WS also sent a notice of availability directly to agencies, organizations, and individuals with probable interest in managing bird damage in the State. The public involvement process ended on February 26, 2016. During the public comment period, WS received one comment related to the draft EA resulting in minor changes, but did not change the analysis provided in the EA. A finding of no significant impact (FONSI) was signed by USDA/APHIS/WS director on March 7, 2016.

Conclusion and Findings

Due to TVA's involvement with WS concerning bird damage control and management in Alabama, TVA independently reviewed the current WS EA and found it to be adequate. Based on the analyses in the EA and the findings documented above, TVA concludes that contracting with WS for bird damage management services on TVA facilities and properties in Alabama as described under Alternative 1 above would not be a major federal action significantly affecting the environment. Accordingly, an environmental impact statement is not required. If needed, TVA may request the assistance of WS to manage damage or threats of damage at those facilities and properties as assessed under the 2016 Managing Damage to Resources and Threats to Human Safety Caused by Birds in the State of Alabama Environmental Assessment.



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10/02/2019

Date Signed