

**Decision
and
Finding of No Significant Impact**

**Management of Conflicts Associated with Resident
Canada Geese in Wisconsin**

1. Introduction

The United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services (WS) works cooperatively with Federal, state, and local governments, public and private organizations and individuals to reduce wildlife caused damage and conflicts. WS's Congressional authority and direction comes from the Animal Damage Control Act of March 2, 1931, as amended, and pursuant to the Rural Development, Agriculture, and Related Agencies Appropriations Act of 1988.

WS has completed an Environmental Assessment (EA) (June 2000) that analyzed potential impacts of a proposed program and alternatives to reduce damage and conflicts associated with locally breeding resident Canada geese primarily in 31 counties in southern and eastern Wisconsin (Appendix C of the EA, Fig. 1). Based on a review of the EA, the Eastern Regional Director of WS has decided to select the (Proposed Action) "Integrated Wildlife Damage Management/Resident Canada Goose Damage Management Program (RCGDM)" and issue a Finding of No Significant Impact (FONSI).

2. Background

Early settlers in Wisconsin found abundant numbers of a large-sized race of Canada geese nesting on the prairie sloughs. Unregulated hunting and egg collection combined with the effects of wetland drainage soon reduced this population. As a result, giant Canada geese disappeared in the 1890s and 1930s from southern and northern Wisconsin, respectively. Efforts to restore breeding Canada geese to rural settings in Wisconsin began in the 1930s when the Wisconsin Department of Natural Resources (WDNR) obtained birds from private game breeders and other sources and established captive flocks (Wheeler and Cole 1990). Well meaning non-governmental groups, primarily in eastern Wisconsin, also established captive flocks and allowed the young of the year to escape to the surrounding landscape, thus starting breeding populations in urbanized areas. Populations in rural and urban areas grew through time, with urban populations growing at a faster rate than those nesting in the rural areas. These locally breeding, resident Canada geese are defined as those Canada geese that nest and reside predominantly within the conterminous United States (Rusch et al. 1995, Ankney 1996, and Grandy and Hadidian 1997), and are designated as "giants" by Mississippi Flyway Technical Section (1996).

Wildlife management is often perceived as the struggle to preserve threatened and endangered (T&E) species, regulate species exploited by humans and the humans who exploit them, and conserve the fields, forests, and wilderness areas that provide habitat for our wildlife resources. Increasingly, however, cities, towns, parks, and backyards have become sites of some of the greatest challenges for wildlife management. When prolific adaptable species such as Canada geese are combined with the inherent human interest in wildlife and desire to be close to wild animals and the abundant habitat represented by parks, spacious yards, water bodies, and other green spaces, conflicts are inevitable. Such is the case with Canada geese. Long thought of as a spectacular sight, Canada geese are now part of everyday life in cities and towns across the northern and central United States. Resident Canada geese, like all wildlife, provide citizens with a valuable contact with things wild and free with many people viewing Canada geese as a charismatic and highly valued species, however, individual tolerance of goose behavior and habits differ. Because of their prolific nature, site tenacity, longevity, size, and tolerance of human activity, Canada geese can become problematic in certain situations (Smith et al. 1999).

During 1948-64, only 29 Canada goose broods were reported statewide (excluding captive flocks), rarely more than one per county and seldom from the same sites in consecutive years (UWTF 1998). Since then, the number of counties with breeding geese increased from 24 in 1964 to 32 in 1980, and currently, geese breed in all 72 counties (UWTF 1998). By the early 1980s, some citizens in urban localities began experiencing nuisance problems and complained about Canada geese and the continued growth of urban nesting populations of Canada geese. Increasing populations of these resident geese are resulting in increasing numbers of conflicts with human activities (Conover and Chasko 1985), and increasing concerns related to human health and safety (Ankney 1996).

The Giant Canada Goose Management Plan for Wisconsin (1993-2000) stated a spring population goal of 68,000 geese (WDNR 1994). The distribution of the population is not random across the state and some areas have vacant habitat for population growth, while in other areas, especially in the more urbanized areas, these birds have become a serious nuisance. The 2000 spring waterfowl survey in Wisconsin indicated a population of 102,600 birds. It is thought that the spring waterfowl survey methodology underestimates the number of geese in Wisconsin (J. Bergquist, WDNR, April, 2000, pers. comm.), and therefore, the statewide spring population goal has been exceeded. Currently, resident Canada goose spring populations are estimated to be increasing statewide at an annual rate of about 11% (R. Gatti, WDNR, April, 2000, pers. comm.). This rate of population increase is expected to continue with the current Canada goose management practices and result in a tripling of the spring population over the next 10 years. The WDNR and WS have recognized for a number of years that the populations of waterfowl have attained a level called the wildlife acceptance capacity (WAC) (Decker and Purdy 1988), and they often create problems for homeowners, business owners, airport operators, farmers and managers of public and private facilities.

As a result, the WDNR began exploring ways to increase the annual harvest on local nesting Canada geese by modifying regular Canada goose hunting season dates to focus the harvest on resident birds rather than on the migrant population. The WDNR established an early September hunting season in 1990 with daily bag limits of three to five birds per day per hunter. This season occurs prior to the migration of significant numbers of geese into Wisconsin. It is anticipated that the harvest trend during the early September hunting season will continue to increase, but not at the rate observed in the early 1990's (J. Bergquist, WDNR, April, 2000, pers. comm.). The early Canada goose hunting season will be expanded statewide in 2000. While this additional hunting pressure is expected to increase the harvest of resident Canada geese, it alone is not expected to reduce population densities of the birds to the WAC or to reduce current damages and risks (J. Bergquist, WDNR, April, 2000, pers. comm.). Resident Canada geese composed 17% of the total harvest during regular goose in 1999, or about 11,076 geese (Bergquist et al. 2000).

In addition to increasing harvest through implementation of an early hunting season, the WDNR has relocated young of the year geese from the Green Bay area and southeast Wisconsin to under-utilized habitats primarily in northern and western Wisconsin and provided adult birds to other states. WS also relocated young of the year geese from ██████ County (179) and ██████ County (87) in 1999. However, the relocation effort within the state is not expected to be permitted by the WDNR beyond the next few years, and in recent years other states have not been interested in receiving adult birds (J. Bergquist, WDNR, April, 2000, pers. comm.).

As the population of Canada geese increased, so did many of the problems that they caused. Concentrations of geese in the vicinity of airports have posed threats to safe aircraft operations. Canada geese and their droppings have caused property damage in both public and private settings. Public beaches and swimming areas, numerous parks and athletic fields have been contaminated with fecal matter. Residents report a negative impact to property and other resources due to an over-abundance of Canada geese and the problems they cause.

WS and the WDNR have established a history, dating back more than a decade, of gradually increasing complaints to goose-caused damage. While implementing a comprehensive technical assistance program WS has received increased requests to implement goose removal efforts to reduce damage.

3. Issues

The following resident Canada goose damage management issues were identified during the interagency and public involvement processes. These issues were determined to be important and were used to drive the environmental analysis.

1. Effects on Canada Geese Populations
2. Effectiveness of RCGDM
- 3 Effects on Aesthetics
4. Humaneness and Animal Welfare Concerns of Methods Used by WS
5. Effects on Non-target Wildlife Species Populations, Including T&E Species

4. Alternatives

The following alternative courses of action were developed with input from the cooperating agencies and the public.

Alternative 1: Integrated Wildlife Damage Management/RCGDM (Proposed Action)

Alternative 1 is the proposed action and is identical to the Current Program Alternative (Alternative 2), except that it would not limit the option for removing geese to reduce damage. Under Alternative 2, the Current Program Alternative, WS has primarily provided technical assistance in response to requests for assistance. No lethal direct damage management assistance has been conducted under the Current Program Alternative. In accordance with IWDM, Alternative 1 would continue all aspects of the Current Program, but with the option for WS to conduct Canada goose population reduction in specific problem areas where other non-lethal techniques have been proven ineffective. Standard operations include WS direct damage management and technical assistance applied on a case-by-case basis. The most appropriate, effective and biologically sound methods would be used to reduce damages caused by Canada geese. In general terms, IWDM is comprised of all the methods legally available, including the alteration of cultural practices and habitat and behavioral modification, to resolve a particular goose damage problem when requested and funded. Methods are implemented at the field level through a decision making process known as the WS Decision Model (Slate et al. 1992). The magnitude, geographic extent, frequency, and duration of the problem are used to determine if action is warranted. In addition, geese that could be used for human consumption would be processed in facilities licensed by the state governing authority. The summary of impacts of this alternative is discussed below under Section 6. Decision and Rationale.

Alternative 2: Technical Assistance Resident Canada Goose Damage Management (RCGDM) by WS (Current Program and No Action Alternative)

Alternative 2 is the “No Action” Alternative and is a procedural National Environmental Policy Act (NEPA) requirement (40 CFR§1502.14(d)). This No Action Alternative relates to the portion of the Current Program that responds to requests for assistance in dealing with resident Canada goose conflicts by providing technical assistance only. A continuation of the current program was not selected because the effectiveness of this approach has been decreasing due to increased populations of Canada geese and non-lethal damage management conducted by other entities that has been effective in the past is in some cases no longer effective.

This No Action Alternative relates to the portion of the Current Program that responds to requests for technical assistance in dealing with resident Canada goose conflicts and recommendations to the U.S. Fish and Wildlife Service (USFWS) for issuance of a depredation permit¹ to entities experiencing the problem; WS has, at times, acted as an agent under issued permits. The Current Program recognizes non-lethal methods as an important dimension of IWDM, giving them first consideration in the formulation of each damage management strategy, however, as stated earlier, non-lethal methods are not always effective in resolving goose damage problems.

Alternative 3: Non-lethal and Technical Assistance RCGDM Only by WS

Alternative 3 would disallow any lethal Canada goose direct damage management by WS. If lethal direct damage management were used, it would need to be employed by persons or programs other than WS. Both non-lethal direct damage management and technical assistance would be provided by WS. Requests received by WS for direct lethal damage management would be referred to the USFWS or WDNR for resolution.

Alternative 4: No Federal WS RCGDM

Alternative 4 is the No Federal Program Alternative and would consist of no direct damage management or technical assistance offered or employed by WS. Under this alternative, requests for assistance in dealing with goose damage conflicts would be handled by private resource owners and managers, private contractors, and/or other government agencies. This alternative is discussed in detail in USDA (1994). This alternative would not allow WS to respond to requests for any type of assistance to address damage or conflicts caused by Canada geese. The environmental consequences of this alternative would be uncertain but would be likely to be less desirable than the other alternatives.

¹ Federal permits are issued by and at the discretion of USFWS. A depredation permit for lethal damage management may also be needed from the Wisconsin Department of Natural Resources (WDNR).

Alternatives Eliminated from Further Consideration

The following alternatives were evaluated and eliminated from further consideration:

Non-lethal Methods Implemented Before Lethal Methods

This alternative is similar to Alternative 1 except that WS personnel would be required to always recommend or use non-lethal methods prior to recommending or using lethal methods to reduce goose damage. Both technical assistance and direct damage management would be provided in the context of a modified IWDM approach. The alternatives selected for detailed analysis in this EA include many of the components of this alternative, and it is believed that inclusion of this alternative would not contribute new information or options for consideration by decision makers in the analysis of the EA.

This alternative was eliminated as not complying with a fully IWDM approach, and could have probable unacceptable risks in cases of human or wildlife health and safety (i.e., at airports, disease outbreaks). In addition, many of the components of this alternative have been analyzed in detail in the alternatives contained in this EA. WS is authorized by law to protect American agricultural and natural resources, property, and human health and safety.

While the humaneness of this alternative and non-lethal management methods under this alternative would be comparable to the Proposed Program, the extra harassment caused by the required use of methods that may be ineffective could be considered less humane. As the local goose population increases, the number of areas negatively affected by geese could increase, and greater numbers of geese could be expected to congregate at sites where non-lethal management efforts were not effective. This may ultimately result in a greater numbers of geese being killed to achieve the local WAC than if lethal management were immediately implemented at problem locations (Manuwal 1989, J. Cooper, Univ. of Minnesota, March, 2000, pers. comm.).

Alternative G, Humane Non-lethal Control with Wildlife Management Policy Review

(This alternative was proposed by the Coalition to Protect Canada Geese (CPCG)).

“Under this alternative, conflicts involving Canada geese will be resolved using established, site-specific, humane, non-lethal control methods including harassment (border collies, etc.), turf grass repellents (ReJex-iT, FlightControl, etc.), barriers, habitat modification, clean-up programs, and so forth. These community based programs would be promoted and coordinated by the USFWS with direct involvement of humane organizations. The alternative rejects numerical “population control” (killing, culling, etc.) as being both inhumane and having no significant practical value — or basis in sound biology — for achieving site-specific relief.

Under this alternative, the USFWS would take a proactive stand against the dissemination of exaggeration and misinformation about geese damaging property and being a threat to health and human safety. The USFWS would be responsible for establishing an independent panel (consisting of medical professionals, nominated by stakeholders, including animal protection organizations) to investigate all health and human safety claims made against geese for which actions were being recommended.

This alternative would freeze the issuance and renewal of lethal depredation permits until such time as scientific studies have been conducted (using a protocol subject to public review) to determine the impact of state and federal hunting-oriented wildlife management activities (e.g., “restoration” projects, baiting programs, etc.) on suburban/urban goose conflicts.”

WS is the lead agency for the preparation and decisions made through this EA, not the USFWS, and WS cannot require the USFWS to implement any of the conditions of the proposed CPCG alternative, “Alternative G.” However, many of the components of the CPCG alternative have, for the most part, been analyzed in detail in the alternatives contained in this EA. The CPCG alternative would not allow for a full range of IWDM techniques to resolve goose damage management problems and only non-lethal methods would be used. WS is authorized by law to protect American agricultural and natural resources, property, and human health and safety. The alternatives selected for detailed analysis in this EA include many of the suggestions in the CPCG proposal, and it is believed that inclusion of this alternative would not contribute new information or options for consideration by decision makers in the analysis of the EA.

Non-lethal methods cannot universally be applied to all goose damage management situations successfully. While non-lethal methods may reduce damage in some situations, the cost of implementing some non-lethal methods would be cost

prohibitive for many entities suffering losses. Because WS would not be able to respond effectively to all goose damage management requests, it is likely that losses would increase from the current level. In addition, the IWDM approach seems to establish a “community-based” program whereby the requests of the community at large for assistance with damage, conflicts, or human health and safety problems can be addressed. WS also has established a 1-800 hotline to answer questions and provide information to entities experiencing wildlife conflicts or damage problems. Costs to administer the CPCG alternative would be expected to greatly increase and losses would also increase. It is judged that the CPCG “Alternative G” would not provide a benefit to the people of Wisconsin and no economic benefit would be realized to those suffering losses or to wildlife management agencies.

5. Public Involvement

Solicitation for Input, Information, and Issues:

Fifty-five state and federal agencies, organizations (including tribal organizations), businesses, and individuals were initially contacted by letter (public involvement letter) in January and February 2000 soliciting input, comments, issues, alternatives, and concerns which were used for initial development of the pre-decisional EA. The public was provided a 30-day comment period to respond to the letter to insure ample time to respond and that all comments received full consideration. After the pre-decisional EA was developed, all respondents to the public involvement process who provided their postal service mailing address, and all persons requesting a document who provided their postal service mailing address, received the pre-decisional EA. Ninety-two pre-decisional EA's were provided to the public. In addition, publication of a legal notice occurred from May 3, 2000 through May 5, 2000 in the Milwaukee Journal Sentinel to further inform additional publics of the WS document. An additional 30-day comment period, closing June 2, 2000, was provided for review of the pre-decisional EA. However, comments were accepted until the Decision and Finding of No Significant Impact (FONSI) was made (June 23, 2000). These notices were consistent with APHIS NEPA procedures and allowed interested parties two 30-day opportunities to obtain and review the document and comment on the proposed action. Fifty-six letters, faxes and/or e-mail messages which provided comments were received from the public during development of the EA. Responses to numerous comments are included in Appendix A of this FONSI where WS felt there was a need for clarification.

Agency Review:

Following the public involvement process, the pre-decisional EA was developed and provided to the consulting agencies (USFWS and WDNR) for an interagency review.

Most of the fifty-six comments received on the pre-decisional EA did not provide new and substantive information, since early interagency coordination and the first public involvement process revealed many concerns and issues. Some comments provided additional information, however, it did not substantially change the analysis, and a major revision of the EA was not necessary. Numerous changes were also made in sections 1, 2, 3, and Appendix B of the EA for further clarification as a result of comments provided by the public. For example, the need to protect human health, human safety, and property were further clarified and the need to protect migrating waterfowl from potential disease threats posed by resident geese was removed from the EA. “Alternative G”, proposed by the Coalition to Protect Canada geese, was reviewed and eliminated from further discussion. In addition, the primary area in which WS actions would be conducted was reduced to 31 counties in southern and eastern Wisconsin and it was identified that it is anticipated that WS would not relocate or remove more than 3000 geese in a given year. Also, based on comments received from the WDNR and USFWS, several additional mitigative measures were added in Section 3 of the EA.

This Decision Notice and FONSI is being mailed to all people who have provided written input and their mailing address during any phase of the EA or who have otherwise expressed interest in this EA. In addition, a notice will be published in the Milwaukee Journal Sentinel, The Reporter in Fond du Lac County, and the West Bend Daily News to inform the public of our Decision.

6. Decision and Rationale

After carefully reviewing the EA, I believe that the need for action and issues identified in the EA are best addressed by implementing the Proposed Action alternative (Alternative 1: Integrated Wildlife Damage Management/RCGDM). The EA analyzed four alternatives to address resident Canada goose damage management in Wisconsin: the Current Program Alternative (No Action); a Non-lethal and Technical Assistance Only Alternative; a No Federal Program Alternative; and the Proposed Action Alternative.

The selected alternative allows WS to provide both technical assistance and direct damage management services, including non-lethal and lethal management approaches. It allows the use of practical and effective methods to prevent or reduce damage caused by Canada geese while minimizing harmful effects of damage management measures on humans, other species and the environment. The Proposed Action is similar to the Current Program, but will allow the removal of geese where non-lethal techniques are determined to be ineffective or not practical. 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. All wildlife damage management activities will be conducted in a manner consistent with applicable environmental regulations and agency policies.

Environmental Consequences:

Impacts on resident Canada geese: The Proposed Program will likely reduce very localized numbers of Canada geese and the continued growth of localized populations in the 31 counties in southern and eastern Wisconsin area (Appendix C of the EA, Fig. 1) may be slowed, delayed, or equalized. The number of geese taken will not exceed management objectives set by the WDNR, with not more than 3,000 taken in a given year of the program. Thus, there will be no significant impact on the state or flyway-wide population.

Program effectiveness: The Proposed Action is considered to be the most effective of the alternatives in reducing conflicts and damage. The Proposed Action will allow WS to most effectively assist the public in resolving damage problems with resident Canada geese.

Program impacts on aesthetic values and public viewing opportunities: There will continue to be ample opportunities to view and/or study Canada geese in the 31 counties in southern and eastern Wisconsin (Appendix C of the EA, Fig. 1). Aesthetic values are subjective, and fewer damage problems with geese will likely increase their aesthetic appeal for many people. Some localized areas will have fewer geese.

Humaneness: The Proposed Action will employ the most humane methods available that are also practical and effective. More lethal damage management will potentially be used under this alternative, which may be seen as less humane by some people. Some people view the capture and killing of geese as inhumane, regardless of the methods used. Others feel that unchecked damage from an expanding goose population will necessitate more killing in the future, therefore, we believe less lethal damage management sooner rather than more lethal damage management later is more humane in the long run.

Impacts on non-target, T&E species: No adverse impacts are expected. Lethal damage management methods proposed are highly target selective. The USFWS and WDNR have concurred that the Proposed Program, as agreed and implemented (with informal site specific consultations conducted in some areas), will have no effect on the Federally listed gray wolf, Canada lynx, bald eagle, Karner blue butterfly, prairie bush clover, or other listed species in Wisconsin.

Cumulative impacts: The Proposed Action will not contribute to significant cumulative impacts on the resident Canada goose population in Wisconsin or the 31 counties in southern and eastern Wisconsin (Appendix C of the EA, Fig. 1). A comparison of impacts of alternatives considered in the EA is summarized in Appendix D of the EA, Table 3.

During the early goose hunting season, WDNR records indicate a maximum of 10,506 birds have been harvested in a year (Bergquist et al. 2000). Resident Canada geese comprise an increasing percentage of the regular season goose harvest each year. Resident Canada goose spring populations have been increasing and are estimated to increase in the future at 11% annually (R. Gatti, WDNR, April 2000, pers. comm.). Despite the fact that hunters took 17,108 resident geese in 1999 (Bergquist et al. 2000), the spring 2000 resident goose population increased 30% to 102,600 geese (J. Bergquist, WDNR, June, 2000, pers. comm.). Therefore, WS removing and/or relocating a maximum of 3000 geese per year will not result in significant cumulative impacts on the local, statewide or Mississippi Flyway Canada goose populations.

WS activities will be monitored, and WS will coordinate all lethal damage management with WDNR and USFWS to ensure that removals will not significantly impact the population. Because the WDNR may change the goals for the resident Canada goose population, WS could alter its management activities accordingly. Staying within the established goals will ensure that WS will not have a significant impact on the resident Canada goose population.

7. Compliance and Monitoring

- 1) WS will continue to formulate a joint strategy for program monitoring, data collection and analysis with WDNR and the USFWS.
- 2) WS activity will be monitored through periodic coordination contacts with those agencies. WS will work within management objectives of the USFWS, Mississippi Flyway Council and WDNR.
- 3) WS will continue to record all activities in its Management Information System database.
- 4) WS will review this EA annually to ensure that the EA is consistent with State and Federal agency management plans, guidelines, and environmental regulations or policies, and that program impacts are properly reflected in the analysis. Should any changes occur that could substantially alter the analysis and decision, WS would revise the EA and Decision appropriately. Substantial changes in the scope of this project, new substantive issues or reasonable alternatives, or changes in the guidance documents or environmental regulations could trigger the need for additional analysis.

8. Site Specificity

The area of analysis for this EA is primarily the 31 counties in southern and eastern Wisconsin (Appendix C of the EA, Fig. 1). However, actions could occur at typical properties suffering resident goose damage or conflicts (see section 2.1 of EA) anywhere in the state if a problem is identified or a request for assistance is received. Wisconsin and the 31 counties in southern and eastern Wisconsin are a reasonable area of analysis for several reasons: 1) Canada geese nest and reside throughout the area, particularly in urban/suburban settings, 2) the population of resident geese is known to intermingle throughout the general area (it is managed as a single population by WDNR) and given the biological aspects and mobility of geese, the potential exists for the population to cause injuries over a broad geographic area, 3) the substantive issues, identified through interagency and public involvement and analyzed in the EA, were consistent across the area and state, and 4) goose-related problems and potential management strategies were consistent across the 31 county area and state. In addition to the analysis contained in this EA, WS utilizes the WS Decision Model (Slate et al. 1992) in making management decisions at each individual site.

FINDING OF NO SIGNIFICANT IMPACT

A careful review of the data in the *Management of Conflicts Associated with Resident Canada Geese in Wisconsin EA* indicates that there will not be a significant impact on the quality of the human environment as a result of this proposal. 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 primarily occur in isolated or localized areas within the 31 counties in southern and eastern Wisconsin and only where a request for assistance is directed to WS. The proposed activities are not national or regional in scope.
2. The proposed activities will not significantly affect public health and safety. The need for action is partially based on protecting human health and safety. The proposed program would be likely to have a beneficial effect on human health and safety through a reduction in the likelihood of bird aircraft strikes and potential disease transmission to humans. It would reduce the disruption of vehicular traffic, attacks on children and other vulnerable people. The methods used to remove resident Canada geese are highly target specific and are not likely to affect public health and safety.
3. The proposed activities will not have an impact on unique characteristics of the geographic area such as historical or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecological critical areas. The nature of the methods proposed for alleviating damages would not likely 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 are opposed to some aspects of waterfowl damage management, 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.

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.

7. There are no significant cumulative effects identified by this assessment.

During the early goose hunting season, WDNR records indicate a maximum of 10,506 birds have been harvested in a year (Bergquist et al. 2000). Resident Canada geese comprise an increasing percentage of the regular season goose harvest each year. Resident Canada goose spring populations have been increasing and are expected to increase in the future at 11% annually (R. Gatti, WDNR, April 2000, pers. comm.). Despite the fact that hunters took 17,108 resident geese in 1999 (Bergquist et al. 2000), the spring 2000 resident goose population increased 30% to 102,600 geese (J. Bergquist, WDNR, June, 2000, pers. comm.). Therefore, WS removing and/or relocating a maximum of 3000 geese per year will not result in significant cumulative impacts on the local, statewide or Mississippi Flyway Canada goose populations.

WS activities will be monitored, and WS will coordinate all lethal damage management with WDNR and USFWS to ensure that removals will not significantly impact the population. Because the WDNR may change the goals for the resident Canada goose population, WS could alter its management activities accordingly. Staying within the established goals will ensure that WS will not have a significant impact on the resident Canada goose population.

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. WS activities in general, and resident Canada goose damage management activities specifically do not have the potential to significantly affect historic properties.

9. The proposed activities will fully comply with the Endangered Species Act of 1973, as amended. WS, in coordination with USFWS and WDNR determined that the proposed activities would not affect Federally or State listed T&E species (site specific informal consultation will be conducted in some areas).

10. There are no irreversible or irretrievable resource commitments identified by this assessment, except for a minor consumption of fossil fuels for routine operations.

11. The proposed activities will not threaten a violation of Federal, State, or local law or requirements imposed for the protection of the environment. The proposed activities do not violate the Migratory Bird Treaty Act, as administered by the USFWS. WS performs all work in coordination with the USFWS to assure compliance with the Act. If Canada goose direct damage management assistance is provided by WS in 2000, WS would be named as an agent on the Migratory Bird Treaty Act Depredation Permit obtained by other entities.

For additional information concerning this decision, please contact:

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Approved By:

/s/

6/23/00

Gary Larson
Eastern Region Director
USDA-APHIS- Wildlife Services

Date

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List of Persons Consulted:

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| Jon Bergquist | Wisconsin Department of Natural Resources |
| Ronald Gatti | Wisconsin Department of Natural Resources |

APPENDIX A

Response to Comments to the Environmental Assessment for Management of Conflicts Associated with Resident Canada Geese in Wisconsin

Wildlife Services received fifty-six comment letters during development of the EA. Twenty of the fifty-six comments were received from groups or individuals outside Wisconsin. NEPA requires that proper consideration be given to all reasonable points of view, particularly as they may relate to the issues being considered. In this light, it is important to consider and address concerns or criticisms that may arise. Appendix A is a summary of comments, particularly criticisms and concerns, received during development of the EA, with the corresponding WS responses. See Appendix A of the EA for the Literature Cited and Chapter 5.2 for the list of persons consulted.

1. Appropriateness of Preparing an EA (Instead of an EIS) For Such a Large Area

Some individuals might question whether preparing an EA for an area as large as the 31 counties in southern and eastern Wisconsin would meet the NEPA requirements for site specificity. Wildlife damage management falls within the category of federal or other agency actions in which the exact timing or location of individual activities cannot usually be predicted well enough ahead of time to accurately describe such locations or times in an EA or EIS. The WS program is analogous to other agencies or entities with damage management missions such as fire and police departments, emergency cleanup organizations, insurance companies, etc. Although WS can predict some of the possible locations or types of situations and sites where some kinds of wildlife damage will occur, the program cannot predict the specific locations or times at which affected resource owners will determine a damage problem has become intolerable to the point that they request assistance from WS. In addition, the WS program would not be able to prevent such damage in all areas where it might occur without resorting to destruction of wild animal populations over broad areas at a much more intensive level than would be desired by most people, including WS and state agencies. Such broad scale population management would also be impractical, if not impossible, to achieve, against WS policies and philosophies..

If a determination is made through this EA that the proposed action would have a significant environmental impact, then an EIS would be prepared. In terms of considering cumulative impacts, one EA analyzing impacts for the southern and/or eastern portions of the state may provide a better analysis than multiple EA's covering smaller zones.

2. Impacts of RCGDM Actions on Other Subspecies of Canada Geese

Some people are concerned that WS non-lethal and lethal damage management methods directed at resident Canada geese will impact other subspecies of Canada geese. While four subspecies of Canada geese occur in Wisconsin (Moser et al. 1991), only the giant Canada goose inhabits the state between May 1st and September 15th each year (J. Bergquist, WDNR, April, 2000, pers. comm.). WS lethal management actions will be focused on resident Canada geese and would typically be conducted between May 1st and September 15th when other subspecies are not present in the state. Therefore, WS lethal management actions will be conducted in a manner that minimizes impacts on other subspecies of Canada geese.

In addition, WS abides by laws and regulations of the MBTA regarding the removal and harassment of migratory birds (50 CFR§21). WS minimizes potential impacts on other subspecies of Canada geese with mitigation measures/standard operating procedures listed in Chapter 3. WS non-lethal management actions may be conducted throughout the year. In these cases, other subspecies of Canada geese may temporarily leave the immediate vicinity, but would most likely return after conclusion of the action.

It is possible to manage certain suburban and urban habitats to make the area less attractive to resident geese (e.g., draining a pond, wetland or lake, altering varieties of grass). In these situations, the affects on migrant geese would be similar to the affects on resident geese, in that the birds would merely forage and/or loaf in other nearby locations more attractive to the birds.

3. Effects on Human Health from Consumption of Canada Geese

To ensure Canada geese that are captured and processed will be safe for human consumption, the WDNR has established a protocol requiring geese from each community/locale to be sampled for contaminants known to be harmful to human

health (WDNR 2000). The contaminant analyses would be conducted by certified laboratories. Previously conducted contaminant analysis (UWTF 1998) will be evaluated with recent results of contaminant sampling. The WDNR Wildlife Health Team, in consultation with the Wisconsin Department Health and Family Services (WDHFS), would evaluate whether contaminant levels meet safe human consumption levels and make recommendations if utilization for donation to food pantries is safe. In addition, geese would only be processed by facilities licensed by the state governing authority. The authority selecting the RCGDM program would be responsible for all costs associated with goose tissue sampling and analyses for contaminants.

4. The Relationship Between Canada Goose Restoration Efforts and Current Resident Canada Goose Conflicts

The relocation of resident Canada geese within Wisconsin has not led to the increase in resident Canada goose conflicts with people in urban areas (J. Bergquist, WDNR, April, 2000, pers. comm.). All relocations, whether in response to nuisance conflicts or population restoration, involved the transfer of urban/suburban geese to rural areas in northern and/or western Wisconsin. Rural sites selected for the release of birds did not offer additional protection, and were most often chosen to expose the birds to higher rates of mortality. The WDNR goose management zones were developed to protect migratory Canada geese, or expose resident Canada geese to additional hunting mortality. The population increase of resident Canada geese in Wisconsin has occurred despite efforts to expose relocated resident geese to higher rates of mortality than are experienced in urban areas.

5. The Feeding of Geese at and Relocation of Geese from the Bay Beach Sanctuary has Contributed to Conflicts with Resident Canada Geese

The Bay Beach Wildlife Sanctuary is owned and managed by the City of Green Bay, not the WDNR. The city employs a program to sell grain to people for the feeding of Canada geese. The city uses funds generated by this practice to operate the sanctuary. WS is not a regulatory agency, and therefore has no control over land management or waterfowl management practices employed by the landowner.

The WDNR relocated 2133 resident Canada geese from Brown County to under-utilized rural habitats, primarily in northern Wisconsin, from 1966-68 and 1979-96 (Appendix D of the EA, Table 1). The WDNR also relocated 3862 resident Canada geese from Green Bay (within Brown County) to areas outside Wisconsin (Appendix D of the EA, Table 1). Bay Beach Wildlife Sanctuary is located in Brown County, and geese relocated from the sanctuary are included in the 2133 birds. As illustrated in Appendix C Figure 5, the majority of conflicts with resident goose occur in eastern and southeastern Wisconsin. Therefore, it is apparent that the effort to relocate birds from Brown County has not significantly contributed to conflicts in other areas of the state.

6. Non-lethal Methods of Resolving Conflicts with Geese should be Promoted, such as those Used in Clarkstown, New York

The use of non-lethal methods are an integral part of IWDM. IWDM uses the most appropriate, effective and biologically sound methods to reduce damage caused by geese. Technical assistance provided to requesters frequently includes non-lethal recommendations to reduce damage. WS gives first consideration to effective and practical non-lethal methods of reducing goose damage. While the UWTF favored non-lethal approaches first, they recognized that in some circumstances non-lethal approaches were not practical to resolve problems.

The City of Clarkstown New York was given as an model where non-lethal methods (fencing and border collies) were used to reduce conflicts with geese (A. Smith, J. Maloney, and L. Profonna, Councilpersons, Town of Clarkstown, New York, Letter to Editor Journal News, Nov. 9, 1998). However, Clarkstown implemented an IWDM program incorporating egg destruction beginning in 1993, goose population reduction in 1996 and 1997 (250, and 200 geese captured and processed for human consumption, respectively) and used fencing and harassment with dogs in 1998 (B. Swift, NY Dept. of Envir. Conserv., April, 2000, pers. comm.). During 1993 to 1996, while egg destruction was being used to reduce conflicts with the geese, the production of goslings remained stable and the total number of geese continued to increase in the town. After the population was reduced, the total goose population declined and has remained stable at less than one-half the pre-lethal control population and this decline is attributed to the use of IWDM (B. Swift, NY Dept. of Envir. Conserv., Letter to Rockland County Goose Survey Coordinators, August 31, 1999). Thus, the Clarkstown example is similar to the WS Proposed Program Alternative, in that an IWDM approach, using lethal and non-lethal, would be used to reduce Canada goose conflicts.

7. EA and Copies of “Requests for Assistance” Should be Available on the WS Website, and Links Provided to Other Sites

WS does not have the computer software or hardware capability to provide the EA or copies of “requests for assistance” on their website or provide links to other related sites. However, WS did provide copies of the EA to the public and agency personnel that requested a copy for their review and comment. In addition, WS does not believe that providing the EA on a website would have improved the quality of the document, in part, because WS provided two 30-day comment periods to the public to provide input to the development of the EA.

Currently, WS is under a “Preliminary Injunction Order” which prohibits us from releasing, either directly or indirectly, the names, addresses, telephone numbers, etc. of cooperators or people that request assistance in resolving a wildlife damage problem (U.S. District Court 2000)(J. Maestrelli, Wisconsin WS, Letter to A. Frisch, Coalition to Protect Canada Geese, May 30,2000).

8. EA Should Include the Budget for Removing Geese and Goose Damage Management will Greatly Enhance New Revenues for WS at the Expense of Citizens

NEPA does not require preparation of a specific budget analysis for projects or programs, and consideration of this issue is not essential to making a reasoned choice among the alternatives being considered. However, the costs related to Canada goose damage management are borne by the entity requesting the assistance, and the budget for each project could vary depending on the specific situation. In addition, WS was established by Congress as the program responsible for providing wildlife damage management to the people of the United States and, wildlife damage management is an appropriate sphere of activity for government programs, since wildlife management is a government responsibility.

A budget analysis for goose damage management conducted back in the decades of widespread hunting or toxicant use would likely show a much lower financial burden per unit cost than goose damage management programs as currently practiced. Although past methods were possibly cheaper and possibly more effective at keeping goose damage low, there were valid concerns about some of the environmental impacts of their use. Our social value system has essentially established limits on how cost-effectively wildlife damage management can be conducted. As restrictions on use of damage management methods increase, cost-effectiveness of damage management is annually reduced.

9. Killing of Geese Through Round-ups and Urban Hunting Seasons have been from Inception, Devious, Secretive, Fraudulent and Genocidal

Canada geese, once considered rare in Wisconsin, have for many years caused problems for suburban dwellers in Wisconsin, and the number of problems continues to increase annually. The damage problems and strategies to reduce the damage have been addressed in newspaper articles, TV news stories, through the UWTF, by WS and the establishment of their “nuisance wildlife” 1-800 hotline, and by numerous county and local governments, by businesses, homeowners and homeowner associations. When damage situations occur and the resolution of the damage is appropriate, generally either a state or federal permit is required to harass or remove geese from the damaging situation. Therefore, these actions are not conducted in a devious, secretive or fraudulent manner, but rather as one means of reducing damage caused by an overabundant wildlife species inhabiting an area where conflicts with humans is occurring and is used as part of the WS Decision Model (Slate et al. 1992).

According to Webster’s II New Riverside University Dictionary (1984), the definition of genocide is “systematic, planned annihilation of a racial, political, or cultural group”. Therefore, the word genocide pertains to humans and does not relate the management of geese causing damage and is incorrectly used as one comment stated. It is anticipated that requests for assistance to reduce Canada goose damage would result in WS removing or relocating a maximum of 3% (3000) of the current resident Canada goose spring population in Wisconsin in a given year.

10. No Evidence that Integrated Damage Management will Reduce Goose Droppings on a Single Lawn or Golf Course and Removal of Geese Only Makes Room for More

The effectiveness of any program can be defined in terms of reduced economic losses, decreased safety hazards, and minimized property damage. Many habitat modifications lose effectiveness as goose numbers increase or cannot be conducted at the damage site, and, at times, frightening or displacing geese from one location just results in damage or risks in the new location. While Heinrich and Craven (1990) reported that using scarecrows reduced migrant Canada goose use of agricultural fields in rural areas, their effectiveness in scaring geese from suburban/urban areas is severely limited because geese are not afraid of humans as a result of nearly constant contact with people. Smith et al. (1999) also

reported that scarecrows tend to lose effectiveness over time and become less effective as goose populations increase. Fairaizl (1992) and Conomy et al. (1998) found the effectiveness of pyrotechnics highly variable among different flocks of Canada geese. Some flocks in urban areas required continuous day-long harassment with frequent discharges of pyrotechnics. The geese usually returned within hours and some resident Canada goose flocks in Virginia showed no response to pyrotechnics (Fairaizl 1992). Mott and Timbrook (1988) concluded that the efficacy of harassment with pyrotechnics is partially dependent on availability of alternative loafing and feeding areas. However, there are safety and legal implications regarding the use of pyrotechnics. Discharge of pyrotechnics is inappropriate and prohibited in some urban/suburban areas. Pyrotechnic projectiles can start fires, ricochet off buildings, pose traffic hazards, trigger dogs to bark incessantly, annoy and possibly injure people, if used properly.

Canada geese, like other birds, defecate at rates related to the amount of forage they consume. Therefore, if geese would be displaced from a location by harassment efforts, relocation, or capture and processing for human consumption, the site should experience a reduction in the accumulation of fecal droppings in proportion to the reduction of goose numbers on site. Stakeholders previously adversely affected by an overabundance of goose fecal droppings would likely view this reduction as aesthetically pleasing.

Perceptions from Minnesota on the effectiveness of electric fences were high (Cooper and Keefe 1997) and this method has been used in the Wisconsin Wildlife Damage Abatement and Claims Program to reduce crop damage caused by geese in rural locations. While electric fencing may be effective in repelling geese in some urban settings, its use is often prohibited in many municipalities for human safety reasons. The use of lethal methods to reduce Canada goose damage can be very effective at alleviating damage and the most economical approach to reducing damage when compared to non-lethal methods (Cooper and Keefe 1997). Additionally, capture and removal of Canada geese is the most cost effective lethal method to reduce damage, except for hunting (Cooper and Keefe 1997). Moreover, the use of lethal methods has longer effectiveness than non-lethal methods because it would likely take months to years before the original local population level of Canada geese returned. Lethal methods would also reduce conflict among resource owners whereas non-lethal actions generally move the geese among resource owners (Cooper and Keefe 1997, Smith et al. 1999, Cooper^b In Press).

An integrated approach to addressing conflicts with Canada geese in the Twin Cities Metropolitan Area has resulted in a decrease in the number of goose complaints received by the University of Minnesota (J. Cooper, March, 2000, pers. comm.). In addition, this approach has not just stabilized the population of resident geese, but it has caused the population to decline to a level closer to the WAC (J. Cooper, March, 2000, pers. comm.). Dolbeer et al. (1993) demonstrated that an integrated approach to reduce bird hazards at ██████████ Airport substantially reduced bird collisions with aircraft by as much as 89%. Jensen (1996) also reported that an integrated approach at ██████████ Airport reduced goose-aircraft collisions by 80% over a 2 year period. Cooper (1991) reported the removal of geese posing or likely to pose a hazard to air safety at airports significantly reduced the population of local geese, decreased the number of goose flights through airport operations airspace, and significantly reduced goose-aircraft collisions at Minneapolis-St. Paul International Airport.

Clearly, an integrated approach to reducing damage situations or risks is the most appropriate damage management strategy and has the best likelihood of reducing damage or risks from Canada geese.

11. A Non-profit, Non-governmental Coalition Should Deal with Goose Problems and it is Unfair to Dismiss the Concerns of Environmentalist, Wildlife Advocates and Those Who Value the Presence of Fowl

The WDNR, under the direction of the Governor is charged by the Legislature to manage the state's wildlife resources. Although many legal authorities of the Natural Resources Board and the WDNR are expressed throughout Wisconsin Administrative Code, the primary statutory authorities include establishment of a system to protect, develop and use the forest, fish and game, lakes, streams, plant life, flowers, and other outdoor resources of the state (s. 23.09 Wis. Admin. Code) and law enforcement authorities (s. 29.001 and s. 29.921 Wis. Admin. Code).

The Wisconsin process of citizen involvement in addressing urban waterfowl conflicts began in 1996 with the establishment of the Wisconsin Urban Waterfowl Task Force (UWTF). This approach has been used successfully in complicated wildlife management situations in New York, Minnesota, and other states. In Wisconsin, urban deer management, statewide deer management, and other topics have been greatly assisted by similar task forces.

The UWTF represented a wide range of interests including municipal government, real estate managers, urban parks departments, animal rights, animal welfare, wildlife educators, golf courses, Wisconsin Lakes Association, Wisconsin Farm Bureau, Audubon Council, Wisconsin Society for Ornithology, Wisconsin Wildlife Federation, Wisconsin Conservation Congress, hunters, and the WDNR. The UWTF identified a number of urban waterfowl problems as issues for Wisconsin (UWTF 1998).

UWTF discussion centered around the list of available methods of management which were divided into two categories; waterfowl population control and on-site problem management activities. Only legal methods of damage management were discussed and included: population control (relocation, round-up (capture) and process for human consumption, egg manipulation, reproductive inhibition (sterilization), hunting opportunity) and site management (“no feeding” ordinances, scare tactics, trained dogs, repellents, barriers, habitat modification).

These management strategies were described by technical experts who discussed the application costs, efficacy, legal considerations, and general advantages and disadvantages of each; a “do nothing” alternative was also discussed. Advantages, disadvantages, and concerns of each management strategy was discussed and the UWTF made recommendation on each. It was clear that the UWTF favored non-lethal approaches first, but recognized that in some circumstances non-lethal approaches were not practical to resolve problems.

12. Belief That WS Needs to Make the Distinction Between Humaneness and Welfare

Webster’s II New Riverside University Dictionary (1984) defines humaneness as, “characterized by kindness, mercy, or compassion,” and welfare as, “health, happiness, and general well-being, prosperity.”

WS strives to reach and maintain a balance between wildlife needs and welfare and human needs and welfare. Human beings and Canada geese are both part of the natural environment and both sets of needs and welfare must be considered when selecting methods to be used in a RCGDM program. The question must be asked if the needs of Canada geese are more important or take priority over the needs of human beings. WS does not conduct any wildlife damage management to punish offending animals, to treat them inhumanely or abuse their welfare rights, but as one means of reducing damage.

13. EA Should Include Copies of MOU's with Cities, Counties, States, or Other Entities

Currently, WS is under a “Preliminary Injunction Order” which prohibits us from releasing the names, addresses, telephone numbers, etc. of cooperators or people that request assistance in resolving a wildlife damage problem and interpretation of this order also includes MOU's (U.S. District Court 2000^a). In addition, because WS has a MOU with an entity does not mean they will conduct any wildlife damage management activities for that entity in any given year or other time frame.

Additionally, WS does not believe that providing copies of MOU's would improve the quality of the analysis or the EA for the decision maker or the public.

14. Belief That WS Should Provide Full Disclosure of Your Goose Restoration Program "Goose Production Units."

WS does not manage wildlife or wildlife habitat but rather is the program directed by Congress to reduce wildlife damage when and where it occurs. Therefore, WS does not administer or manage a goose production program or goose production units in Wisconsin or any other state. However, through Pitman-Robertson funds, the USFWS has established and administers waterfowl production areas and the WDNR manages land for the benefit of waterfowl as well as other wildlife that may inhabit those areas. The issue of full disclosure of the goose restoration program and "goose production units" is outside of the scope of the EA.

15. Belief Expressed that WS Policies Have Caused the Canada Goose Problem

As stated above, WS does not manage wildlife or wildlife habitat but rather is the program directed by Congress to reduce wildlife damage when and where it occurs. In addition, WS is a service oriented-cooperative program, only providing a service when requested by resource or property owners or administrators. Therefore, it is unclear how WS policies could be responsible for having resulted in Canada goose damage.

16. Belief that Goose Hunting is Appalling and Does Not Solve the Problem

The use of lethal methods (hunting) to reduce Canada goose damage (populations) can be very effective at alleviating

damage and the most economical approach to reducing damage when compared to non-lethal methods (Cooper and Keefe 1997). Conover and Kania (1991) reported that geese were more likely to cause damage in areas that goose hunting was prohibited. Moreover, the use of lethal methods has longer effectiveness because it would likely take months to years before the original local population level of Canada geese returned. Lethal methods would also reduce conflict among resource owners whereas non-lethal actions generally move the geese among resource owners (Cooper and Keefe 1997, Smith et al. 1999).

In addition, WS does not have the authority to set hunting seasons or game limits. That responsibility and authority belongs to the WDNR under state statutes and USFWS under the MBTA. Tens-of-thousands of sportsmen and women hunt every year, with waterfowl and goose hunting very popular sports.

Therefore, this issue does not appear to be warranted, in that, lethal methods (hunting) do reduce damages and hunting, in terms of approaches and not solving problems, appears to be a persons opinion.

17. The EA should be Site Specific

First of all, a basic bit of philosophy and WS's mission must be pointed out, WS is responsible to reduce wildlife damage, not wildlife. Like other damage management organizations (fire departments, police, emergency clean-up organizations, insurance companies, etc) we can predict some possible locations and types of needs and address some preventative actions that could take place to reduce risks of damage and consider the likelihood of damage at any given location. However, we will never be able to predict where the damage will occur, nor be able to prevent it without being far more destructive than is prudent. This would be like the fire department predicting where the next fire will occur. All we can say is, given the numbers of animals and based on past experiences and monitoring, the situation we are aware of and our prediction of probable needs at any given location. As is true with the other damage situations, we can and do give in our EA the impacts of the damage when it occurs and the forms it takes, and our impacts of trying to reduce the damage within the area being protected. The problem occurs when trying to predict exactly which location and which animals are going to be specifically involved before the damage situation is created.

We recognize that the geese have no "intent" to do harm. They are just living their lives the best they can. They reproduce, fly, walk, eat and deposit waste wherever the habitat and weather take them. When they conduct these actions in the "wrong" place, humans call this damage. "Wrong" places, unfortunately, are determined not merely in spacial terms but also have elements of time and other activities that define their "wrongness". (Example: a goose crossing a freeway at 3 a.m. may not be a problem while one at 8 a.m. could cause loss of human life, injuries, and considerable destruction of property.) When we are asked to state exactly where this will occur we are being held to a standard that no other damage management agency or entity, nor even any wildlife management agency, is required to meet. In fact, despite similar language to NEPA in the California CEQA requirements, the California Game and Fish Department was only required in their documents (which we use in that state as part of our documentation for our actions to comply with NEPA) to address the impacts to the population being impacted. The bounds of the population were never on a few acres or even a county basis but over a broad area. This approach recognizes the biological reality of what we as a program also need to consider. While we recognize that a small segment of society looks to and cares about each individual animal, as biologists we have to look at impacts to the population since we are aware that each individual may change at any time in any location, and that the damage is generally not caused by the individual but the population.

That said, we prepared documentation that will give as much information as possible concerning the needs to address locations and numbers of geese involved in creating damage or threats to human interests and needs. The purposes of NEPA are to promote informed decisions by the decision-maker and informing the public of the information used in the analysis that has assisted the decision-maker to come to the conclusion they did.

18. A Site-specific Analysis and Public Hearings Should be Held for Every Location Where Goose Damage Management May Occur

NEPA does not require an environmental assessment for each individual site where work might be performed by WS (U.S. District Court 2000^b). Site specificity is the vicinity of the resident Canada geese. The EA describes the types of activities that could be implemented, and the types of locations where damage may occur. Canada geese are mobile, they walk, swim and fly and they are in constant flux. Non-lethal methods are used during times of damage and geese are being actively hazed from site to site. Therefore, the geese that cause damage at one site may need to be captured at another. The WS Decision Model (Slate et al. 1992) is the site specific mechanism for making field level decisions.

WS has determined that its analysis is adequate, because further site specific information would not change the analysis, add to the public's understanding of the proposal, or provide additional useful or relevant information to the decision maker (Eccelston 1995).

In addition, 55 state and federal agencies, organizations (including tribal organizations), businesses, animal rights groups, wildlife advocates and individuals were mailed a letter prior to development of the EA, soliciting comments, issues, and concerns for 30 days for the EA about managing damage involving Canada geese. The public was notified of about the availability of the pre-decisional EA through publication of a legal notice in the Milwaukee Journal Sentinel (statewide distribution) and provided a 30-day review and comment period. These notices were consistent with APHIS NEPA procedures and allowed interested parties the opportunity to obtain and review the document and comment on the proposed action. In addition, all persons that responded to the initial public involvement process, and all others that requested copies, were sent copies of the pre-decisional EA to review and comment. Holding an additional public involvement process (public hearings at each site where damage management may occur) would only delay actions and add expense to the individuals, cities or other entities requesting goose damage management and responsible to pay for the action. The public was afforded ample opportunities to express their concerns and forward issues for analysis in the EA and WS received fifty-six comment letters that improved the quality of the analysis.

The underlying intent for preparing any EA, as defined under CEQ NEPA regulations is to determine if a proposed action might have a significant impact. This EA process has been issue driven, meaning issues that were raised during the interdisciplinary process and through public involvement that were substantive, were used to drive the analysis and determine the significance of the environmental impacts of the proposal and its alternatives. Therefore, the level of site specificity must be appropriate to the issues listed. The substantive issues analyzed were "Effects on Target Species Populations," Effectiveness of Resident Canada Goose Damage Management," "Effects on Aesthetics," "Humaneness and Animal Welfare Concerns of Methods Used by WS," and "Effects on Non-target Wildlife Species Populations, Including T&E Species".

WS has exceeded the minimum requirements of the NEPA regulations (40 CFR1500, et. Seq.) by following the guidance established in Section 1508.9, which state that an environmental assessment is "...a concise public document..." that "...briefly provides sufficient evidence and analysis for determining whether to prepare an environmental impact statement or a finding of no significant impact." and includes "...brief discussions of the need for the proposal, of alternatives as required by section 102(2)(E), of the environmental impacts of the proposed action and alternatives, and a listing of agencies and person consulted."

The EA has resulted in a Finding of No Significant Impact, after WS considered both the context and intensity of the potential impacts to determine significance (40 CFR§1508.27):

The context in which goose damage management impacts could occur are largely limited to the resources (people, property, non-target species, and the goose population) in Wisconsin. However, certain members of the public may be concerned with some issues and impacts in Wisconsin, (for example; humaneness, goose population viability, and impacts on T&E species) even if they do not reside in Wisconsin. Because less tangible issues such as social values for wildlife are more widespread, WS considers them in the broader context. However, the more tangible effects are on properties in Wisconsin, and the people that live in Wisconsin.

In determining the intensity (the severity) of impacts, WS evaluated the proposed action against the ten criteria established in Section (40 CFR§1508.27). WS found that the degree to which the proposed action could trigger the criteria was low to nonexistent. For example, "...The degree to which the action may adversely affect an endangered or threatened species or its habitat..." and "...whether the action threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment" was low to nonexistent.

The analysis in this EA was driven by the issues raised during the NEPA process, and the impacts of the proposed action were determined to be not significant after examination in light of both the context and intensity of the impacts, as defined by CEQ. More detailed site specific information would not contribute to the public's understanding of the proposal, nor would it change the analysis and result in substantially differing environmental consequences. Also, further site-specific analysis would provide no additional useful information to the Decision-maker.

In addition to the analysis contained in the EA, WS personnel use the WS Decision Model (Slate et al. 1992) as a site specific tool to develop the most appropriate strategy at each location. The WS Decision Model is an analytical thought process used by WS personnel for evaluating and responding to wildlife damage management requests. When a request for assistance is received and after consultation with the requester, WS personnel evaluate the appropriateness of strategies, and methods are evaluated in the context of their availability (legal and administrative) and suitability (based on biological, economic and social considerations). Following this evaluation, the methods deemed to be practical are formed into a damage management strategy for the situation. In terms of the WS Decision Model, most damage management efforts consist of a continuous feedback loop between receiving the request, implementing a strategy and monitoring the results. WS recommends that communities and/or public land management agencies hold meetings to inform the public of the conflicts and solicit public input for development of their damage management plan.

19. Belief That Damage Claims were Not Verified, and the Dollar Value of Goose Damage was Overstated, the Data Should Not be Used

WS used program unpublished records to compile damage estimates. When people contact WS for assistance they frequently provide estimated costs of damage. For instance, WS does not have the resources, responsibility, or authority to verify all damage reports. Although not comprehensive, the summary of these records represented the best information available, even though it most likely underestimated the total damage caused by geese. Damage reports were received from individuals; businesses; state, county, and municipal governments; federal agencies; and others. In addition, damages to agricultural crops reported the EA are determined in accordance with ss.29.889(7a) Wis. Stats.

20. Geese will Just Repopulate the Areas Where They are Lethally Removed

Long-term repopulation of sites is a concern (as described in 4.1.2.1 of the EA). Site faithfulness, particularly in females, is likely to slow the spread of Canada Geese to new locations (Allan et al. 1995). Population limiting techniques (e.g., hunting, relocation, capture and process for human consumption, and egg destruction) have long-term effects and, based on research in the Minneapolis-St. Paul Metropolitan Region, can slow population growth or even reduce the size of a goose population (Cooper and Keefe 1997). In addition, WS would continue to offer technical assistance to property owners on actions they could take to reduce the attractiveness of areas to geese. However, population management would continue to be an integral part of the program and would be used within the confines of the Proposed Action where needed.

21. WS Prepared a Sham EA; Need to Prepare an EIS

WS prepared the EA to evaluate and determine if there may be any potentially significant impacts on the quality of the human environment from the proposed program. Interagency coordination and public outreach helped shape the EA and provided the agency with “issues” important for analysis. In addition, WS attempted to present the best and most accurate information available to the public in the EA using more than 120 scientific reports and publications from places such as peer review journals, internal documents and other governmental agency reports and publications.

WS has determined that the analysis in the EA showed no significant impact on the quality of the human environment. The EA took a hard look at the need for action, the issues, alternatives, and environmental consequences, and resulted in a FONSI that discussed, under each of the ten CEQ points of significance, why each was not significant. WS carefully considered all comments from respondents to the public involvement efforts. The agency followed CEQ NEPA regulations, and Agency NEPA implementing procedures. Thus, the EA resulted in a FONSI that specified why an EIS was not required.

22. Urban Hunting Seasons Conceals the Disastrous Mis-management Consequences of the WDNR Canada Goose Restoration Program, is a Trick on the Public and Hunting is Not Safe for Humans

WS is not a regulatory agency responsible for managing Canada geese in Wisconsin or any other state and does not have the authority to establish waterfowl hunting regulations. This issue is outside the scope of this EA.

23. EA Should Set Local Goose Population Goal

Again, WS is not a regulatory agency responsible for managing Canada geese in Wisconsin or any other state and does not have the authority to establish goose population goals. This issue is outside the scope of this EA. In addition, it is the local authority selecting the RCGDM program whom must determine the WAC (Decker and Purdy 1988) for their location.

24. Health Testing Guidelines Do Not Provide Useful or Relevant Information on Contagious Diseases in Urban Canada Geese That May be Relocated

Legal authorities for the Natural Resources Board and the WDNR to protect and ensure healthy wildlife populations are expressed within s. 23.09 Wis. Stats.. The Natural Resources Board adopted mission statements to help clarify and interpret the role of the WDNR in managing natural resources in Wisconsin which include: To protect and enhance our natural resources: our air, land and water; our wildlife, fish and forests and the ecosystems that sustain all life; and to provide a healthy sustainable environment and a full range of outdoor opportunities.

WS recognizes and defers to the authority and expertise of wildlife health experts in the WDNR in determining what does or does not constitute a wildlife health threat and/or prudent protocol to ensure the health of wildlife populations.

25. The EA Cites No Textbooks (Medical or Veterinary) to Demonstrate the Claim that the Issue of Suffering is Addressed

The EA contains a detailed discussion of humaneness and animal welfare concerns of methods used by WS in 2.3.4. Since neither medical or veterinary curricula explicitly address suffering or its relief (AVMA 1987, CDFG 1999), references to medical or veterinary textbooks were unable to be made. The term euthanasia means “good death”, or death that occurs without pain and distress (Andrews et al. 1993). The EA cites an American Veterinary Medical Association panel report on the colloquium on recognition and alleviation of animal pain and distress (AVMA 1987). The EA also cites the report of the American Veterinary Medical Association panel on Euthanasia (Andrews et al. 1993). It should be stated that this prestigious panel recognized that in field circumstances, a distress-free death may not be possible. The challenge in coping with this issue is how to achieve the least amount of animal suffering within the constraints imposed by current technology and funding.

The issue of animal suffering is addressed because WS uses methods approved by the AVMA to dispatch wildlife such as hypoxia by the use of CO₂, and shooting. Captured birds would be made as comfortable as possible by watering as necessary, not overcrowding the birds if they are put in holding cages for transportation, and seeking shade for caged birds as necessary. In addition geese would be processed for human consumption in state licensed poultry processing facilities in accordance with all pertinent regulations. Most people would view this as acceptable, since all poultry purchased for human consumption in Wisconsin is processed in this manner.

As stated in section 2.3.4 of the EA, WS has improved the selectivity and humaneness of management techniques through research and development. Research is continuing to bring new findings and products into practical use. Until new findings and products are found practical, a certain amount of animal suffering could occur when some RCGDM methods are used in situations where non-lethal damage management methods are not practical or effective. Wisconsin WS personnel are experienced and professional in their use of management methods so that they are as humane as possible under the constraints of current technology, workforce and funding. Mitigation measures/standard operation procedures used to maximize humaneness are listed in Chapter 3.

26. Belief Suggested Waterfowl Hunters May Benefit by Harassment Activities in Urban/Suburban Areas that Cause Canada Geese to Move and Expose Them to Harvest

No data substantiating this belief was provided by this commentor. Using some methods of harassment (e.g., propane exploders and pyrotechnics) may require a permit from local governing agencies. It would be up to these agencies to determine if permitting the harassment of geese which resulted in the harvest of geese was contrary their goals, and they could then decide whether to issue the permit or not issue the harassment permit. However, it seems intuitive that most members of society would look favorably on nuisance geese being legally harvested by hunters, because there would be fewer geese causing damage and hunting is the most cost-effective method to reduce goose damage.

WS does not have the authority to establish hunting seasons or game limits. That responsibility and authority belongs to the WDNR under state statutes and USFWS under the MBTA. Tens-of-thousands of sportsmen and women hunt every year, with waterfowl and goose hunting being very popular sports.

27. Belief Suggested That Hunting Encourages the Geese to Congregate on Parks, Ponds and Airports

No data substantiating this belief was provided by this commentor. However, Swift (1998) reported that harassing geese (of which hunting is one form) temporarily forced geese to utilize other habitats within the birds' existing home range. Geese were not observed utilizing habitats (parks, ponds, airports, etc.) that were not utilized by the birds prior to

harassment activities. Furthermore, geese that are harvested by hunters do not congregate at any location, because they are removed from the population.

In reviewing of the Wisconsin WS Annual Tables, there does not appear to be any validity to the claim that hunting activities increase conflicts with geese in parks, ponds, or airports. It is intuitive that geese will utilize areas within their home range where they encounter the fewest threats. It is also intuitive that non-lethal harassment techniques (e.g., harassment, dogs, etc.) and lethal methods of population management will encourage geese to utilize habitats where they perceive to encounter the fewest threats. Finally, after reviewing the results of Swift (1998), hunting would not result in geese congregating at locations which were not utilized prior to initiation of hunting.

28. Belief That Health Problems Associated with Geese are Not Documented

WS's review of the wildlife literature provided a brief summary of health risks associated with Canada geese. According to the literature, the risk of healthy human adults contracting many of the diseases appears to be low, but it also appears that a certain level of risk does exist, particularly for some segments of the human population (as mentioned in section 1.3.4 of the EA). WS recognizes and defers to the authority and expertise of health officials in determining what does or does not constitute a threat to public health. Some local health departments do believe that there are health threats related to the geese.

29. Belief That Agricultural Crops are Planted Around Lake Winnebago, Lake Butte des Morts, and the Milwaukee Area (Including Bong Recreational Area) to Attract Geese

WS is not a regulatory agency, and therefore has no control over land management or waterfowl management practices employed by landowners/land-managers. Agricultural crops are likely still planted to benefit all wildlife on land held in private ownership, such as that owned by conservation clubs, throughout Wisconsin. These plantings may provide some additional food or act as an attractant for resident geese. However, it is highly unlikely they contribute to conflicts with geese or act as significant goose attractants when one considers that 5,591,663 hectares of the state are in corn, wheat, hay and soybean production (Battaglia et al. 1999) which provides high quality food for geese most of the year (See Appendix B). In addition, WS has no authority to enforce waterfowl baiting laws/regulations.

30. Belief That Best Science Wasn't Used to Prepare the EA

WS attempted to present the best and most accurate information available to the public in the EA using more than 120 scientific reports and publications from places such as peered review journals, internal documents and other governmental agency reports and publications.

31. Several Commentors Alluded to Confusion Between the Differing Populations of "Resident" Giant Canada Geese and Migratory Subspecies of Canada Geese

Locally breeding, 'resident' Canada geese are defined as a subspecies of Canada geese that nest and reside predominantly within the conterminous United States (Rusch et al. 1995, Ankney 1996, and Grandy and Hadidian 1997), and are designated as "giants" by Mississippi Flyway Technical Section, Mississippi Flyway Giant Canada Goose Management Plan (1996). It is known that non-breeding resident Canada geese and resident geese which have failed nesting attempts sometimes move to other areas in the summer prior to molting (Zicus 1981, Nelson and Oetting 1991, Abraham et al. 1999), however these geese are not defined as or considered migratory Canada geese by the published literature or wildlife professionals.