Montana Fish, Wildlife and Parks
DRAFT ENVIRONMENTAL ASSESSMENT (EA)

CITY OF HELENA DEER REDUCTION PROGRAM – PILOT PROJECT PHASE II

December 2008

I. INTRODUCTION AND BACKGROUND

In 2007, the City of Helena's Urban Wildlife Task Force developed an Urban Deer Management Plan. Findings of the Task Force confirmed that the predominate urban wildlife problem was an overpopulation of mule deer due to the ample forage, water, and general habitat conditions. After extensive meetings that included city officials, members of the public, and wildlife specialists who reviewed existing urban wildlife plans, the task Force presented its recommendations to the City Commission. This plan was adopted by the City Commission and included the following actions to address increasing public health and safety, real and personal property damage, and wildlife welfare: 1) public education, 2) review of zoning ordinances and laws, 3) promotion of deer resistant landscaping and barriers, and 4) removal of a portion of the existing mule deer population from within the city limits. The deer reduction plan proposed an initial removal of 350 deer to reduce the resident population's growth rate. The recommended deer population density for the City was 25 deer/mi^2, based on estimated reproduction and mortality rates. Currently, the deer density is estimated at 33 deer/mi^2.

In August 2007, the City of Helena submitted their request to implement the initial phase of the urban deer reduction plan to the FWP Commission for approval. The FWP Commission deliberated on the City's deer reduction plan at three separate meetings. In November 2007, the FWP Commission approved a pilot project in which the City was allowed to remove up to 50 deer within the city limits between August 15, 2008, and March 31, 2009.

This initial phase of the City's deer reduction plan was implemented in early

September 2008 and completed by the end of October 2008. The project was considered a success with 50 deer being removed. Over 1,500 lbs of venison were donated to Helena Food Share, and knowledge and experience were gained for improving traps, adjusting the trapping schedule, and reducing potential injuries to staff involved in trapping in subsequent efforts.

At the December 2008 FWP Commission meeting, the City of Helena requested approval for continuation of the pilot project in which deer would be removed from three additional areas of the city with a maximum of 50 deer per area during Winter 2009. The Commission tentatively approved the City's request pending the completion of an environmental assessment required by the Department. The Commission will reconsider the City's request at their January 15th meeting and will either approve Phase II as described, approve Phase II with adjustments, or not approve the City's request at all.

II. AUTHORITY AND DIRECTION

Montana Fish, Wildlife, & Parks, under 87-1-201 of the Montana Code Annotated (MCA), has the authority to " *supervise all the wildlife, fish, game, and nongame birds, waterfowl, and game and fur-bearing animals of the state and may implement voluntary programs ….*"

As for FWP authority for granting permission to the City to implement their plan, 7-3-1105 2(a) MCA states: *A city or town may adopt a plan to control, remove, and restrict game animals, as defined in 87-2-101, within the boundaries of the city or town limits for the public health and public safety purposes. Upon adoption of a plan, the city or town shall notify the Department of Fish, Wildlife, and Parks of the plan. If the Department of Fish, Wildlife, and Parks approves the plan or approves the plan with conditions, the city or town may implement the plan as approved or as approved with conditions.*

FWP has the authority per 87-1-226 MCA to distribute the meat to state institutions, school lunch programs, the department of public health and human services, or charitable institutions, which will be the case if the City implements their deer reduction plan.

III. LOCATION OF PROJECT

The second phase of the City of Helena's deer reduction pilot project will focus upon three areas of the city: the upper west side, lower west side, and central Helena. Capture sites will be on private property at the invitation of the landowner or on public lands where deer often congregate.

IV. DESCRIPTION OF PROPOSED ACTION

Proposed Action

The City of Helena has asked FWP to approve the implementation of the second phase of the City's deer reduction pilot project, with effective dates of January 15 through March 31, 2009.

Need

Helena's mule deer population exists in a closed system with minimal migration, emigration, and mortality. Conditions within the City such as ample forage and water, limited predator stress, and abundant cover have created conditions to sustain a large deer population.

Between November 2006 and mid January 2007, an inventory of the mule deer population within the city limits was completed. Based on the inventory, it was estimated that there were about 700 resident mule deer in Helena at the end of 2007. Based on birth and death rates cited in the plan, it was estimated that the population would exceed 1,800 deer by 2010 if left unchecked.

With an estimated density of 33 mule deer/mi^2 as of 2007, the tolerance for urban deer by human residents of Helena has declined due to both the

damage deer cause to private property and the public safety hazards that increase with increased densities of deer. These public safety hazards include deer-vehicular collisions, direct deer-human conflicts including does, bucks, adults and children, and deer-pet conflicts. Based on the research completed by the City of Helena, the desired urban deer density was estimated at 25 deer/mi^2, which is equivalent to a stable population of about 380 deer.

Currently, the Helena Police Department, FWP Game Wardens and the FWP Biologist respond to incidents involving dead or injured mule deer and other deer-human conflicts. Over the past 3 years, both agencies have seen a steady increase in the number of reports of both dead and injured urban mule deer and deer-human conflicts. In 2006, the Police Department, Game Wardens, and Biologist responded to over 400 deer-related calls.

The second phase of the pilot project will provide the City with additional information on the following points: culling the deer population in winter versus fall, if different neighborhoods or time of day are better suited for capture efforts, and which mixture of bait is best for attracting deer to traps.

Information and experience gathered from both the first and second phase of the pilot project will be used by FWP, with the cooperation of the City, to complete a programmatic review of the deer reduction efforts so that future requests by the City to manage the urban deer population can fall under the umbrella of the programmatic EA. A quota approval by the FWP Commission would still be necessary.

Summary of the Implementation Protocols

With the technical assistance from FWP Biologists and Game Wardens, the City of Helena will continue to use the City's Police Department to set Clover traps on private property in the upper and lower west side and central portions of the city that are frequently used by mule deer. Traps will be set during the day and at night to improve the odds of capturing deer. All mule deer captured will be euthanized with a bolt gun. Carcasses will be moved to FWP facilities to be field dressed and for storage. When five or more

animals are in storage, they will be taken to a local meat processor for processing. After processing, the meat will be donated to either Montana or Helena Food Share for distribution to local families in need of assistance.

Clover traps are made with a pipe frame and are enclosed with 4-6 inch mesh netting. A trip wire is attached to a trigger mechanism which causes a door to close behind the animal. Traps used in this effort will be reinforced with heavier frames and netting to reduce equipment failure and animal escapes. Traps will be baited with a mixture of grains and apples or another attractant. After capture in the trap, the deer will be further restricted and euthanized using a bolt gun.

After the carcass is removed, the site will be cleaned with water or other means for the restoring aesthetic values of the site.

Costs to FWP

Anticipated costs to FWP are minimal because FWP staff will only be providing technical assistance, if required, and the City has experience from the original pilot project. As with the first phase of the pilot project, FWP will donate the use of an agency vehicle for transporting carcasses from capture sites to FWP's storage cooler for processing. The City will pay for all gas expenses while using the vehicle

V. DESCRIPTION OF REASONABLE ALTERNATIVE TO THE PROPOSED ACTION

1. Alternative A, No Action: No Approval of City of Helena's Deer Reduction Plan

FWP does not approve Phase II of the City's plan and decides not to take any additional action at this time. The City would be unable to implement any further deer reduction efforts until FWP approval was received.

VI. ALTERNATIVE ELIMINATED FROM CONSIDERATION

As with the first environmental assessment of Phase I of the City's pilot project, FWP does have the ability to approve the City of Helena's deer reduction plan with conditions. However, since the City and FWP have been working closely throughout the preparation of the management plan and through the implementation of Phase I of the pilot project, this alternative is very unlikely and accordingly was removed from further consideration.

VIII. EVALUATION OF IMPACTS ON THE PHYSICAL ENVIRONMENT

1. Land Resources

Impacts for the Proposed Action: No impacts would occur as a result of this proposal. Indirect impact would be minimal ground disturbing activities because Phase II will occur during the winter when the ground is frozen and potentially snow covered when traps are staked to the ground. No unique geological or surface features will be disturbed.

Impacts for the No Action: The status quo would be maintained on private property within the City limits. No changes are expected.

2. Air Resources

Impacts for the Proposed Action: No impacts would occur to the ambient air quality of the City of Helena. No nuisance odors would be generated by the implementation of Phase II.

Impacts for the No Action: The normal air quality would remain the same.

3. Water Resources

Impacts for the Proposed Action: No impacts would occur to

local resources since there are no streams, creeks, or lakes within the City limits. Contamination of water resources is improbable since it is expected the ground will be frozen during the proposed Phase II implementation period.

Impacts for the No Action: No changes to the existing water resources for the City of Helena would occur.

4. Vegetation Resources

Impacts for the Proposed Action: There is no impact associated with the decision to approve the Deer Reduction Plan from the City of Helena.

Indirect impacts for the Proposed Action: The use of Clover traps for the capture of the mule deer will not require the displacement of any trees or shrubs. Since the proposed timeline for this project is during the winter of 2009, the ground vegetation where the traps will be located will be dormant, possibly covered by snow, and frozen where the capture activities will occur, therefore damage to ground vegetation is expected to be minimal. This impact will be short term and will not require the reseeding of the area after the proposed action is completed because the vegetation is expected to return to its normal state during spring growth. Following the activities of the Phase I of the pilot project, the areas disturbed by trapping were quickly recovered after the project's completion.

Impacts for the No Action: Disturbances to the existing trees, shrub, and ground vegetation during the winter season would continue to occur by the existing urban deer populations on private and public property.

5. Wildlife Resources

Impacts for the Proposed Action: If FWP were to approve the

implementation of Phase II of the City's deer reduction plan, 150 mule deer within the city limits would be captured and dispatched by Helena Police Department staff.

Since the estimated mule deer population within the city limits was 700 animals in 2007, the removal of 150 animals will likely cause some localized changes to the distribution and abundance of mule deer. The removal of both sexes and all age classes is anticipated to affect the population growth rate of the City's deer more than Phase I did. However, mule deer concentrations will still be plentiful in some other parts of the city.

After Phase I, FWP's Helena Game Wardens did report a slight decrease in the number of reports of human-deer conflicts within the southeast target area. FWP thinks that through the continuing efforts by the City to reduce its resident deer population the number of reports will continue to decline in additional neighborhoods.

No other wildlife species will be affected by the proposed action.

Impacts for the No Action: If FWP decides not to approve the City of Helena's Deer Reduction Plan, it is predicted that the population of mule deer within the city limits will increase. Based on current reproduction and mortality estimates, the population may increase to more than 1,800 animals by 2010.

A likely direct consequence of the City's inability to take action early in the deer population increase is the probable rise in the number of complaints filed by residents concerning damage caused by deer, human-deer conflicts involving public safety, and deer-vehicle collisions. A cascading affect will include an increased workload to Helena police personnel and FWP game wardens and the biologist and associated costs of responding to nuisance deer calls.

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IX. EVALUATION OF IMPACTS ON THE HUMAN ENVIRONMENT

1. Noise/Electrical Effects

Impacts for the Proposed Action: The FWP decision to approve the proposed action will have no impacts to the existing conditions. An indirect consequence and its' mitigation to the proposed action is the use of a bolt gun to dispatch the captured deer.

During Phase I, the City reported the use of the bolt gun proved to be efficient and relatively quiet, and rarely did a property owner or neighbor hear the activities taking place.

Impacts for the No Action: There would be no impact to current noise levels in residential neighborhoods.

2. Land Use

Impact of Proposed Action and No Action Alternative: There would be no impact to the productivity or profitability of the private property, nor does the proposed implementation of Phase II conflict with existing land uses in the targeted neighborhoods.

3. Risk/Health Hazards

Impacts for the Proposed Action: No direct impacts are expected.

Indirect impacts of the Proposed Action: If FWP approves the City's plan to reduce the urban deer population by up to 50 animals each in three different areas of the city, the implementation strategy calls for the use of a bolt gun to dispatch captured deer by trained Helena Police Department personnel only. This method was chosen because it minimizes

the risk to the public and is a humane way to dispatch the animal.

There is a minor risk of personal injury to those officers engaged in the project. Following the completion of Phase I, the City reported that some minor injuries incurred by their staff, such as minor cuts and tick bites. Furthermore, since Phase I took place in the fall, officers were exposed to capturing bucks with antlers, which required careful handling when collapsing the Clover trap. Potential injuries caused by antlered animals will be reduced in the proposed project because many of the bucks will have shed their antlers by the time Phase II is implemented.

Impacts for the No Action: No new public safety issues would be established. However, the continuance of a high and potentially growing deer population within the city limits will maintain the potential for deer-human conflicts.

4. <u>Community Impacts</u>

Impacts for the Proposed Action: If FWP approves Helena's second phase of their deer reduction plan, it is expected a continuing moderate level of public controversy and comment will be generated and will be directed to both FWP, the City of Helena staff, and the City Police Department.

The public will have an opportunity to comment on the City's request through the submission of feedback during the public comment period provided for this environmental assessment.

Previously, the public was engaged by the City of Helena throughout the preparation of its deer reduction plan. Additionally, when their plan and the implementation of Phase I of the pilot projects was submitted to the FWP Commission for preliminary approval in 2007, members of the public submitted comments and attended the Commission meeting to voice either

their opposition or support of the City's plan.

The indirect impacts of the FWP decision may result in similar management and control proposals from other cities such as Billings, Bozeman, Great Falls, and Missoula.

The meat generated from the implementation of the City's plan would provide either Montana or Helena Food Share with food for distribution to low-income families.

Impacts for the No Action: If FWP does not approve the implementation of the deer reduction plan, the issue will continue to remain a relevant topic of discussion and controversy amongst the residents, City officials, and FWP management because of increasing conflicts between humans and deer. The City would likely approach FWP again seeking approval of the implementation of Phase II.

5. Public Services/Taxes/Utilities

Impact of Proposed Action and No Action Alternative: There would be no effect on local or state tax bases or revenues, no alterations of existing utility systems nor tax bases of revenues, nor increased uses of energy sources.

6. Aesthetics/Recreation

Impact of Proposed Action: No impacts would occur to the overall aesthetic values found within the City, since the culling efforts will take place during the winter and in limited areas. Since the ground will likely be frozen, the City will attempt to reduce the appearance and remnants of the blood at the trapping sites either by washing the areas with water or by other means to restore aesthetic values. Additionally, carcasses are transported in a covered vehicle and not in public view.

Some argue that the presence of deer in the City provides an aesthetic value, so reduction of deer numbers does have a potential aesthetic impact. However, with a target density of 25 deer/mi^2, the opportunity to view deer in the city will remain.

No Action Alternative: No aesthetic or recreation resource would be affected by this choice.

7. Cultural/Historic Resources

Impact of Proposed Action and No Action Alternative: No impacts would occur to any cultural or historical sites within the city limits since the action poses little chance for ground disturbing activities during the winter when the ground will most likely be frozen and/or covered with snow.

X. SUMMARY EVALUATION OF SIGNIFICANCE

The proposed action should have no negative cumulative effect on either the physical or human environment. However, when considered on a larger scale, there is the potential that other cities in Montana will ask for FWP approval of their own wildlife management plans which could increase the number of consultations FWP wildlife biologists and wardens will be expected to incorporate into an already busy workload. Additionally, as these types of plans begin to emerge it is probable that the level of public comment and controversy will rise as well. If planned and executed properly, a municipality's urban deer reduction plan could reduce damage to public and private property in addition to the reduction of wildlife/human conflicts that require local police and game warden intervention.

Although the No Action alternative would maintain or increase the deer population in the City of Helena, it would not address the existing conflicts between the needs of the deer and the public safety expectations of the residents of Helena.

XI. EVALUATION OF NEED FOR AN EIS

Based on the above assessment that has not identified any significant negative impacts from the proposed action, an EIS is not required and an EA is the appropriate level of review.

XII. PUBLIC INVOLVEMENT

As previously noted in Section IX(4), the City of Helena has provided a variety of avenues for the public to participate in the development of their Urban Deer Reduction Plan. Additionally, the public was given the opportunity to support or oppose the FWP Commission's approval for the initial implementation of the City's Urban Deer Management Plan at three separate meetings that met in August, September, and November of 2007.

For the current Commission decision, the public can submit written comments to FWP to:

City of Helena Deer Reduction Program
Montana Fish, Wildlife & Parks
PO Box 200701
Helena MT 59620-0701

Or email comments to: fwpwld@mt.gov

The public comment period will extend for (27) twenty-seven days following the publication of the second legal notice in area newspapers. Written comments will be accepted until 5:00 p.m., Sunday January 11, 2009.

The public will be formally notified of the EA's availability and comment period in the following venues:

- Two public notices in the *Helena Independent Record*
- One statewide press release and
- Public notice on the Fish, Wildlife & Parks web page: *http://fwp.mt.gov*.

Copies of this environmental assessment will be distributed to the standard distribution list and those expressing previous interest in this issue.

XIII. DOCUMENTS REFERENCED

City of Helena Deer Reduction Plan, Environmental Assessment (May 2008) and Decision Notice (July 2008) http://fwp.mt.gov/publicnotices/notice_1731.aspx and http://fwp.mt.gov/publicnotices/notice_1821.aspx

Montana Fish, Wildlife & Parks. (September 2004). *Findings and Recommendations of the Urban Wildlife Working Group*. Helena

City of Helena. (April 2007). *Urban Deer Management Plan, Findings and Recommendations of the Helena Urban Wildlife Task Force*. Helena

XIV. PERSON RESPONSIBLE FOR PREPARING THIS EA

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