



Montana Fish, Wildlife & Parks

1400 South 19th Avenue
Bozeman, MT 59718

October 20, 2009

To: Governor's Office, Mike Volesky, State Capitol, Room 204, PO Box 200801, Helena, MT 59620-0801
Environmental Quality Council, State Capitol, Room 106, PO Box 201704, Helena, MT 59620-1704
Dept. of Environmental Quality, Metcalf Building, PO Box 200901, Helena, MT 59620-0901
Dept. of Natural Resources & Conservation, PO Box 201601, Helena, MT 59620-1601
Montana Fish, Wildlife & Parks:

Director's Office	Parks Division	Lands Section	FWP Commissioners
Fisheries Division	Legal Unit	Wildlife Division	Design & Construction

MT Historical Society, State Historic Preservation Office, PO Box 201202, Helena, MT 59620-1202
 MT State Parks Association, PO Box 699, Billings, MT 59103
 MT State Library, 1515 E. Sixth Ave., PO Box 201800, Helena, MT 59620
 James Jensen, Montana Environmental Information Center, PO Box 1184, Helena, MT 59624
 Janet Ellis, Montana Audubon Council, PO Box 595, Helena, MT 59624
 George Ochenski, PO Box 689, Helena, MT 59624
 Jerry DiMarco, PO Box 1571, Bozeman, MT 59771
 Montana Wildlife Federation, PO Box 1175, Helena, MT 59624
 Wayne Hurst, PO Box 728, Libby, MT 59923

Ladies and Gentlemen:

The enclosed Decision Notice has been prepared for the City of Helena's urban deer reduction plan. A total of 31 comments were received during the 30-day comment period ending October 9, 2009. This Decision Notice and EA are available for review in Helena at FWP's Headquarters and the State Library. It also may be viewed on FWP's Internet website: <http://www.fwp.mt.gov>.

Fish, Wildlife & Parks has decided to proceed with the proposed project, with no changes to the Draft EA. Thank you for your interest.

Sincerely,

Patrick J. Flowers
Region Three Supervisor

Attachment



Montana Fish, Wildlife & Parks

PROGRAMMATIC ENVIRONMENTAL ASSESSMENT DECISION NOTICE for the City of Helena Deer Reduction Program

**Montana Fish, Wildlife & Parks
Region 3, Bozeman
October 20, 2009**

Preface

The City of Helena's Urban Wildlife Task Force developed an Urban Deer Management Plan in 2007. The Task Force confirmed that the predominate urban wildlife problem in the City of Helena 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) reduction of the existing mule deer population 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/mi² based on information from other cities that have established an urban deer density objective. As reported in the City of Helena's 2007 Urban Deer Management Plan, the deer density as of 2007 was estimated at an average 33 deer/mi² throughout the city.

In early September 2008, the City initiated their deer reduction plan with the approval of the Montana Fish, Wildlife and Parks' (FWP) Commission. This pilot project to remove 50 deer was completed by the end of October 2008, and the project was considered a success. Over 1,500 pounds 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.

A second effort for the removal of 150 additional deer was approved by the FWP Commission in December 2008 and completed in March 2009. This effort was also considered a success based on the efficiency of the program, comments the City received from those volunteering their property for traps, and from Helena Food Share for the donation of approximately 5,000 pounds of venison for their clients.

Proposed Action

FWP proposes to approve the City of Helena's continuing efforts to reduce the urban deer population under the guidance of the City's 2007 Urban Deer Management Plan and contemporary deer population information. This would include the removal of 150 deer during the 2009-2010 fall/winter seasons and subsequent reduction activities by the City to reach and subsequently maintain the target population density.

The Commission's approval would be effective from November 13, 2009, through December 31, 2019 or until changes to the City's plan requires re-evaluation and re-approval by FWP's Commission.

As urban deer management continues on an annual basis, the City would be expected to provide FWP: 1) a summary of recent efforts to reduce the urban deer population, 2) a summary of recent public education and outreach efforts and other relevant information or concerns, 3) the culling objective/ management action(s), with justifications, that would be implemented to reach targeted goals for the upcoming year, and 4) the results anticipated of those management action(s).

Public Process and Comments

FWP is required by the Montana Environmental Policy Act (MEPA) to assess potential impacts of a proposed action to the human and physical environment. In compliance with MEPA, an Environmental Assessment (EA) was completed for the proposed project by FWP and released for public comment on September 9, 2009.

Public comments on the proposed action were taken for 31 days (through October 9, 2009). Legal notices were printed in the *Helena Independent Record*, and the EA was also posted on the FWP webpage: <http://fwp.mt.gov/publicnotices/>.

Twenty-nine individuals submitted comments, and of those 18 respondents were in support of continuing to reduce the number of mule deer living within the City of Helena, 7 respondents was opposed to it, and 4 respondents did not clearly declare their support or opposition to the proposed action. Of the comments received, most focused their comments to the next culling quota under consideration by the Commission and not on future deer management efforts to be implemented by the City.

Below is a summary of the comments and questions received and FWP responses to the feedback:

- 1) A more aggressive culling effort is warranted & target deer density of 25 deer/mile² is too high
FWP response: The primary objectives of the City's culling efforts is to preserve the public's health and safety and protect real and personal property from potential damage from urban deer. As of the week of October 5, the City of Helena embarked upon a new survey of the city's urban deer population by a third party with consultation with FWP's

wildlife biologist. Depending upon the results of that survey, the City may or may not change the deer density target that was set in 2007 in order to meet those objectives.

2) Reconsider contraception as an alternative to culling the city's deer population

FWP response: Questions to the effectiveness and prohibitive cost of fertility control methods remain. In addition to the uncertain effectiveness in an "open" mule deer system where individual deer freely enter and exit the system from/to surrounding areas, the logistics of administering treatment and marking/evaluating treated animals are considerable even with some implementation details currently undefined. Consistent with the Urban Deer Management Plan, this status does not preclude future evaluation of circumstances that may include lower deer numbers and/or improved fertility control that could potentially place fertility control in a different light relative to available and effective management options for the City to pursue.

3) Effort not a long-term solution

A handful of comments stated the City's efforts to decrease the urban deer population would only reduce the number of sightings but not stop deer from coming into the city. Therefore, the proposed effort was not a long-term solution.

FWP response: The implementation of the first phase of the pilot project provided the City with an opportunity to apply the chosen deer reduction methodology and to practice and learn from those efforts what did and didn't work as anticipated. The second phase of the pilot project provided additional information on additional questions the City had about conducting the operation, such as the timing and location of trapping. After the completion of Phase II, the City expected to have a finalized plan ready to submit to the City Commission and the FWP Commission that would address how many deer the City wants to cull each year in order to reach the target urban deer density of 25 deer/mile² and that would detail how the effort will be implemented based on the lessons learned from the pilot projects.

The completion of this programmatic environmental assessment (EA) will eliminate the need for future individual EAs for each deer reduction effort by the City and will improve efficiency for future culling quota requests that will be considered by FWP's Commission. Future requests will need to include justification as described in the programmatic EA before they can be approved. FWP believes this system will give the City of Helena the tools to reach their long-term deer management goals.

4) If other Montana cities start to control their local urban deer populations, what impact will that have on the state's total deer population?

FWP response: If other cities receive approval to implement their own urban deer management strategies, the FWP Commission would consider the impacts those programs could have on local wild deer populations in making their final decision. FWP currently monitors mule deer populations locally by hunting district with harvest survey data. For a number of hunting districts, aerial surveys and check station data are also utilized to monitor mule deer populations. FWP thinks the culling of small urban populations of deer will have

no effect on the overall health and density of the wild herds that are distributed throughout the state.

5) Will meat from the program still be donated to Food Share?

FWP response: As with the previous culling efforts, the meat generated from deer population reduction would be donated to community food banks for distribution to low-income families.

6) Additional comments received that are not specific to the proposed action

- a. When approving new subdivisions, the City of Helena should consider the development's effects on wildlife.

FWP response: The City of Helena is currently in the process of updating their growth policy. Local FWP wildlife and fisheries biologists have attended meetings with the City planning staff and indicated their interest in contributing to their growth policy with respect to wildlife and fisheries concerns. However, the content of that policy is ultimately determined by the City of Helena.

- b. Expand culling areas to include: east of the Cathedral, south of Custer Ave., and north of the railroad tracks west of Benton.

FWP response: These requests will be forwarded to City officials for consideration. The City of Helena makes the final decision on where new culling efforts will take place.

- c. Has FWP considered a limited archery season within the City limits as a method of reducing the deer population?

FWP response: No, because public hunting is prohibited within the city limits by state statute (87-3-305 MCA). However, the City's Urban Deer Management Plan did investigate the option of allowing limited public hunting in designated areas. The City may reconsider this alternative at a later date.

- d. Has FWP considered the threat of Lyme disease in Helena's deer population?

*FWP response: Lyme disease is a tick-borne disease of humans and some domestic animals. Certain species of wild animals such as deer and birds may act as reservoir hosts for the infectious agent (a spirochete called *Borrelia burgdorferi*), which is transmitted among wildlife and occasionally to humans or domestic animals by some species of ticks. Wildlife infected with *Borrelia burgdorferi* rarely develop signs of disease.*

*Lyme disease is most commonly found in the eastern United States, and in specific areas of the west where the ticks that carry the disease are known to exist. The species of ticks (*Ixodes scapularis* in the east, and *Ixodes pacificus* in the west) known to carry the Lyme disease agent have not been documented in Montana. However, there have been a small number of human cases of Lyme disease diagnosed within the state, and these have increased in recent years. According to a quote in the July 3, 2009 Billings Gazette from Dr. Paul Mead, medical officer in the infectious disease division of the Centers for Disease Control and Prevention, these cases have been linked with travel to other states where Lyme disease is established. On a CDC Lyme Disease risk map from 2004, Montana is listed as "minimal or no risk" for Lyme Disease.*

Although the risk of Lyme Disease in Montana is currently very low, FWP is aware of the potential for transmission of Lyme Disease from deer to humans and the potential for spread of Ixodes ticks or other unknown vectors into new areas over time. The wildlife lab follows reports of Lyme Disease from Public Health, and looks for Ixodes ticks on deer that come through our wildlife lab.

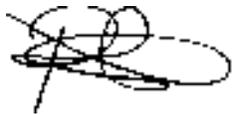
Final Environmental Assessment

There are no modifications necessary to the Draft Environmental Assessment based on public comment. The Draft Environmental Assessment, together with this Decision Notice, will serve as the final document for this proposal.

Decision

Based on the Environmental Assessment, public comment, and the need to meet the terms of 7-31-4110 MCA for responsible management of urban wildlife by local governments, it is my decision to approve the proposed action for continuation of the implementation of the City of Helena's Urban Deer Management Plan under the terms of the programmatic EA and the culling of 150 deer during the fall/winter seasons of 2009-2010.

I find there to be no significant impacts on the human and physical environments associated with this project. Therefore, I conclude that the Environmental Assessment is the appropriate level of analysis, and that an Environmental Impact Statement is not required.



Patrick J. Flowers
Region 3 Supervisor
Montana Fish, Wildlife & Parks

10/20/2009

Date