

MONTANA FISH, WILDLIFE AND PARKS
DRAFT ENVIRONMENTAL ASSESSMENT (EA)
CITY OF HELENA DEER REDUCTION PROGRAM

I. INTRODUCTION AND BACKGROUND

Over the past decade, some Montana cities have experienced an increase in human-urban wildlife conflicts. In densely populated areas, such as the City of Helena, public safety concerns, real and personal property damage, and the welfare of wildlife have caused cities to take steps to reduce deer populations within city limits to reduce these conflicts.

In light of the potential of human-wildlife conflicts, the 2003 Legislature enacted HB 249 that allowed local governments, in cooperation with Montana Fish, Wildlife, and Parks (FWP), to develop and implement local programs in an attempt to better manage these animals. In this legislation, towns and cities must receive FWP approval before implementing their urban wildlife management plan.

In 2004, FWP established the Urban Wildlife Working Group that was comprised of Department personnel and other staff from state, local government, and private citizens to evaluate current conditions and develop recommendations to address human-wildlife conflict issues for the Director of FWP. This group confirmed the belief that there was an increasing trend of human-deer conflicts occurring in urban areas, especially those experiencing growth. Although the report focused on deer-human conflicts in residential areas, its general approach is useful for a number of circumstances. Recommendations formed from the Working Group included the need for FWP staff and local government officials to work closely in designing urban wildlife plans, that such plans should have a public education component, and a staff position at FWP should be established to assist municipalities in their planning efforts.

Based on the new legislation and participation in the Urban Wildlife Working Group, City of Helena leaders initiated their own task force to determine if urban wildlife problems existed within the city limits and to identify management actions that were necessary to address public safety and the needs of the wildlife affected.

In 2007, the City of Helena's Urban Wildlife Task Force set forth to develop an Urban Deer Management Plan. Findings of the plan confirmed the predominate urban wildlife issue was an overpopulation of mule deer. After twenty-nine 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 in order to address increasing concerns related to 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) the removal of a portion of the existing mule deer population from within the city limits. The plan proposed an initial removal of 350 deer in an effort to stop or reduce the

population's rate of growth. The target deer population density for the City was recommended to be 25 deer per square mile, based upon anticipated reproduction and mortality rates. The deer density is currently estimated at 32.6 deer/square mile.

In August 2007, the City of Helena submitted their request for FWP approval of the implementation of their deer reduction plan. The FWP Commission deliberated on the City's deer reduction plan at three separate meetings. In November 2007, the Commission approved the City's request to implement a deer reduction plan targeting a limited number of animals within the city limits. Since this was a very contentious topic in Helena and was a new role for FWP, the FWP Commission agreed to allow the City to remove up to 50 deer during the period December 15, 2007 through May 1, 2008 as a pilot project.

At the April 2008 FWP Commission meeting, the City and FWP requested a change for the time period that was originally set for the implementation of the pilot deer reduction plan. This request was needed to allow the removal of deer in the fall months and allow troublesome animals to be targeted. The Commission approved the request and amended the City's deer removal period to August 15, 2008 through March 31, 2009.

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, 7-3-1150 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.*

The 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.

LOCATION OF PROJECT

The City of Helena's deer reduction plan focuses upon public property located on the upper eastside of the city (southeastern area) or on private property at the request of landowners who request assistance with deer on their property.

III. DESCRIPTION OF PROPOSED ACTION

Proposed Action

The City of Helena has asked FWP to approve the implementation of the City's deer reduction plan.

Need (from City of Helena's *Urban Deer Management Plan, Findings and Recommendations of the Helena Urban Wildlife Task Force.*)

During November 2006 through the middle of January 2007, an inventory of the current population of mule deer within the city limits was conducted. Based upon the data gathered, it was estimated approximately 700 mule deer resided in Helena and if left unchecked, the population could exceed 1,800 animals by 2010 based upon anticipated birth/death rates.

Presently, both the Helena Police Department and FWP Game Wardens respond to incidents involving dead or injured mule deer or when there are other deer-human conflicts. Over the past 3 years, both agencies have seen a steady increase in the number of urban deer reports. In 2006, the Police Department responded to 241 deer related calls, and Game Wardens responded to 162 calls. With the population of urban mule deer expected to grow, so are the number of deer-human conflicts.

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. However, with an average density of 32.6 mule deer per square mile, the human/social tolerance for urban deer appears to be declining.

As previously noted, incidents involving human-deer conflicts are on the rise. The Task Force recommended the initial urban deer density should be set at 25 deer per square mile, which could maintain a stable population of 380 deer.

It is the desire of the City to implement a deer reduction plan as soon as possible to establish effective protocols for the reduction in the number of urban deer by using the most cost efficient manner and humane methods available to meet the City's long-term deer population goals.

Summary of the Implementation Protocols

The City of Helena would use the City's Police Department to set Clover traps, provided by FWP, on the City's southeastern public lands. They will receive technical assistance from FWP staff. Adult bucks and does caught in the Clover trap will be dispatched by a single shot, and the fawns will be released. The carcasses will be moved to FWP facilities to be dressed out and stored. When five or more animals have accumulated, they will be taken to a local meat processor to be processed. After processing, the meat will be donated to the Helena Food Share for distribution to local families in need of assistance.

Clover traps are made with a pipe frame enclosed with 4-6 inch mesh netting. A trip wire is attached to a tripping mechanism which when triggered will cause a weighted door to close behind the animal. After capture in the trap, the deer will be further restricted and euthanized using a bolt gun or small caliber handgun.

V. DESCRIPTION OF REASONABLE ALTERNATIVE TO THE PROPOSED ACTION

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

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

VI. ALTERNATIVE ELIMINATED FROM CONSIDERATION

The FWP has the authority 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 its implementation strategy, 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 groundbreaking activities when stabilizing ropes are secured to the Clover trap and ground. No unique geological or surface features will be disturbed.

Impacts for the No Action: The status quo would be maintained on the City’s public lands. 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.

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.

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. Some groundcover vegetation may be trampled as City of Helena personnel subdue a captured animal. Since the proposed timeline for the action is during the fall of 2008, the ground vegetation where the traps will be located will be dormant and may be impacted in a limited way by the movements of staff and equipment. 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. The reduction of deer in the targeted area may allow for the recovery of ornamental plants in the nearby residential area.

Impacts for the No Action: No disturbances would occur to the existing trees, shrub, and ground vegetation on the lands owned by the City of Helena.

5. Wildlife Resources

Impacts for the Proposed Action: If FWP were to approve the implementation of the City's deer reduction plan, 50 mule deer within the city limits would be captured and dispatched by Helena Police Department staff.

In 2007, the estimated mule deer population within the city limits was 700 animals. The removal of 50 animals will cause some localized changes to the distribution and abundance of mule deer and it will not adversely affect the overall abundance of the species within the city. Mule deer will still be plentiful in many other parts of the city.

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, the population of mule deer within the city limits is likely to increase, based upon current reproduction and mortality predictions, to over 1,800 animals by 2010. A likely direct consequence of the City's inability to take action is the probable rise in the number of complaints filed by residents. These complaints will relate to damage caused by deer, human-deer conflicts involving public safety, and vehicle accidents when a deer is involved. A cascading affect will be an increased workload to Helena police personnel and FWP game wardens and associated costs to the agencies responding to nuisance deer calls.

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 suppressed firearms (silencer) to dispatch the captured deer.

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

2. Land Use

Impact of Proposed Action and No Action Alternative: There would be no impact to the productivity or profitability of the public lands, nor conflicts with existing land uses in the area.

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 50 animals, the implementation strategy calls for the use of a bolt gun or small caliber firearm to be used to dispatch captured deer by only trained Helena Police Department personnel. The choice of these methods was made to minimize the risk to the public, although the area where traps are placed will be off limits to the public.

Impacts for the No Action: No new public safety issues would be established.

4. Community Impacts

Impacts for the Proposed Action: If FWP approves Helena's deer reduction plan, it is expected a moderate level of public controversy and comment will be generated and directed to both FWP and the City of Helena staff. The public has been engaged by the City of Helena throughout the preparation of its' deer reduction plan through telephone surveys, public meetings, and direct mailed response. Additionally, when the plan was submitted to the FWP Commission for preliminary approval, members of the public submitted comments and attended the Commission meeting to voice either their opposition or support of the City's plan. See Section XI Public Involvement for further discussion on this subject.

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 harvest of meat from the implementation of the City's plan would provide the Helena Food Share game meat 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 remain a popular topic of discussion and controversy among the public, City officials, and FWP management because of increasing conflicts between humans and deer. The City would likely approach FWP again in the future seeking approval of their plan when public opinion changes due to increases in vehicle accidents or attacks by aggressive deer or when public safety concerns outweigh all other concerns.

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 or revenues, nor increased uses of energy sources.

6. Aesthetics/Recreation

Impact of Proposed Action: No impacts would occur to the aesthetic values found on the public lands owned by the City. Some recreational areas could be potentially closed to the public while reduction efforts are occurring. The inconveniences to the public will be minimal and will be of a short duration.

No Action Alternative: No public lands 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. There are no known sites on public land in the upper eastside of the City.

X. SUMMARY EVALUATION OF SIGNIFICANCE

The proposed action should have no negative cumulative effect on the physical or human environment. 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.

Although the No Action alternative would preserve the deer population in the City of Helena, it would not address the existing deer and human conflicts in Helena.

X. 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.

XI. PUBLIC INVOLVEMENT

As previously noted in Section I, the City of Helena provided a variety of avenues for the public to participate in the Urban Wildlife Task Force's decisionmaking process. Those avenues included telephone surveys, face-to-face surveys, and public meetings.

In addition to the Task Force's efforts, the public had the opportunity to voice their support or opposition to FWP Commission's approval for the implementation of the City's Urban Deer Management Plan at three separate meetings that met in August, September, and November 2007.

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

- Two public notices in the paper: *Helena Independent Record*
- One regional press release
- 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.

The public comment period will extend for (30) thirty days following the publication of the second legal notice in area newspapers. Written comments will be accepted until 5:00 p.m., June 9, 2008 and can be mailed to the address below:

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

Or email comments to: helenadeercontrol@mt.gov

XII. REFERENCES

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

XIII. PERSON RESPONSIBLE FOR PREPARING THIS EA

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