

6830 - ANIMAL DAMAGE CONTROL

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.01 Purpose. The purpose of this Manual Section is to:

A. Implement revised procedures and responsibilities for the handling of animal damage control (ADC) on the public lands.

B. Provide policy, guidance, and standards for the processing of ADC problems, needs, and activities on the public lands.

.02 Objectives. The objectives are to:

A. Define the roles and responsibilities of the Animal and Plant Health Inspection Service (APHIS) and Bureau of Land Management (BLM) relative to ADC.

B. Ensure that ADC is carried out in a systematic manner which responds to resource protection, human health, and livestock protection needs while protecting public safety, domestic animals, and nontarget wildlife.

C. Ensure that ADC on the public lands is conducted in a manner consistent with current laws, policies, interagency procedures, and predator population objectives consistent with State wildlife agency plans.

D. Ensure uniform handling of ADC requests, needs, and programs within the Bureau.

.03 Authority. The BLM responsibilities in ADC are derived from the following Acts and Executive Orders.

A. Bald Eagle Protection Act of 1940 (16 U.S.C. 688), as amended.

B. Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), as amended.

C. Federal Land Policy and Management Act of 1976 (42 U.S.C. 1701 et seq.)

D. Federal Environmental Pesticide Control Act of 1972 (7 U.S.C. 136).

E. Federal Insecticide, Fungicide, and Rodenticide Act of 1970 (7 U.S.C. 135).

F. Federal Water Pollution Control Act Amendments of 1972 (33 U.S.C. 1251, et seq.).

G. Migratory Bird Treaty Act of 1918 (16 U.S.C. 703), as amended.

H. National Environmental Policy Act of 1969 (42 U.S.C. 4321).

I. Public Law 92-159 of 1971 restricts shooting of wildlife from aircraft (16 U.S.C. 742j-1).

J. Sikes Act of 1974 (16 U.S.C. 670).

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K. Taylor Grazing Act of 1934 (43 U.S.C. 315).

L. Toxic Substances Control Act of 1976 (90 Stat. 2003).

.04 Responsibility.

A. The Director and Deputy Director are responsible for overall management of BLM involvement in ADC activities.

B. Assistant Director, Lands and Renewable Resources, exercises the responsibility of the Director and Deputy Director by providing overall staff supervision of BLM activities relating to ADC.

C. Chief, Division of Wildlife and Fisheries, is responsible for:

1. Initiating the development of BLM policies, objectives, general procedures, and programs relating to ADC.

2. Overall coordination of BLM involvement in ADC. (This includes appropriate interaction with APHIS, Washington Office BLM Divisions and Offices, various BLM offices, and other appropriate Federal agencies.)

D. State Directors, within their respective areas of jurisdiction, are responsible for:

1. Providing additional policy and technical guidance to supplement this BLM Manual Section, as may be appropriate, for their States.

2. Ensuring that ADC activities are carried out in a manner consistent with policies established herein and all appropriate laws and regulations.

E. District Managers are responsible for managing BLM involvement in ADC activities within their respective areas of jurisdiction. This includes:

1. Coordinating with appropriate APHIS officials to ensure that the procedures and policies set forth herein are put into effect and maintained.

2. Ensuring that BLM District personnel are aware of the new procedures and Agency roles specified herein.

3. Ensuring that BLM involvement in animal damage management includes:

a. Reviewing and, where appropriate, authorizing ADC programs and annual plans proposed by the APHIS.

b. Applying appropriate land management considerations, including delineation of human safety zones and similar areas where ADC activities will be restricted or not allowed.

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4. Ensuring that predators and rodents that are target species of ADC activities are managed to ensure viable population levels and are addressed appropriately in activity plans.

.05 References. BLM Manual Sections 6840 and 9011.

.06 Policy.

A. All wildlife, including species that are the target of ADC activities are vital components of ecosystems. ADC activities will, therefore, be conducted in a manner that ensures the continued viability of predators, rodents, and other target species.

B. ADC activities must be compatible with resource objectives identified in land use and/or activity plans for the area(s) in which control activities are focussed.

C. ADC activities will be conducted in accordance with approved ADC plans. Where an active ADC plan does not exist, and there is a demonstrated need for ADC, the BLM must work expeditiously with APHIS to develop such a plan or follow procedures for emergency situations.

D. ADC may be authorized in areas where a demonstrated need has been identified for the protection of human health, safety, forest and range resources, other wildlife, agricultural crops, and livestock.

E. ADC activities must be directed toward individuals or local populations of predators or depredating animals where losses or damage have been verified and the affected individual(s) has requested control services from the APHIS.

F. Only APHIS or the State or local government organization with which APHIS has a contractual agreement is authorized to conduct or approve ADC activities on BLM-administered lands. All requests for ADC work will be submitted directly to APHIS so as to provide the most rapid response feasible to damage problems.

G. All toxicants must be used in accordance with EPA label provisions. Protecting human safety, pets, and environmental quality are the major considerations in deciding whether or not to authorize the use of a chemical toxicant.

H. BLM State Directors are delegated authority to authorize APHIS use of M-44's on the public lands subject to the restrictions established by the Environmental Protection Agency (EPA) (see Appendix 1). This authority may be redelegated to District Managers.

I. In designated wilderness and wilderness study areas, only the minimum amount of control necessary will be authorized so as to ensure protection of wilderness wildlife and resource values.

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J. In areas where ADC is conducted on an intensive basis, effects of control on target and nontarget species will be monitored.

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.1 Statewide Interagency Agreement. ADC is a cooperative effort with the States and the APHIS. In those States where an interagency agreement on ADC does not exist, an agreement should be developed to reflect the policies, procedures, and guidelines presented herein. The agreement should, of course, include the appropriate State management agency(ies). Responsibilities of participating agencies, procedures to be followed, and other appropriate matters should be specified. States that already have such agreements may wish to update them to reflect the policies and procedures herein.

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.2 Coordination. Close coordination between BLM, the States, and the APHIS on ADC functions is essential. The APHIS is responsible for overall coordination of ADC functions. In those States where APHIS has an ADC program, all State agency-sponsored control programs oriented toward livestock protection must be funneled through the APHIS, and merged with other identified control needs to provide a coordinated approach for all ADC activities within each BLM District including arranging necessary meetings. In each District having an active ADC program, at least one interagency meeting (BLM, APHIS, appropriate State management agency(ies)) per year must be held to complete the annual ADC plan proposed by the APHIS. The Forest Service (FS) should also be invited to participate in such meetings where BLM and FS lands adjoin. Such meetings may be requested by either party at the appropriate time. The MOU between the BLM and APHIS (see Appendix 2) provides further information on BLM-APHIS coordination.

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.3 Environmental Analysis.

.31 Compliance. National Environmental Policy Act compliance for the Federal predator damage control program has been met through completion of a comprehensive environmental impact statement (EIS) entitled "U.S. Fish and Wildlife Service's Mammalian Predator Damage Management for Livestock Protection in the Western United States." Any EIS on the ADC program completed by APHIS will be considered by BLM as maintaining NEPA compliance. Environmental assessments or records of the annual ADC plans for BLM Districts are required. BLM makes such assessments or records with assistance from the APHIS (see Appendix 2).

.32 Results of Previous Year's Program. Utilize results of previous year's ADC program, sport and fur harvest for intensive control areas, and any population trend data/monitoring data available in this EA.

.33 Coordination with Forest Service. Where proposed predator control is planned on lands administered by the BLM and the FS in the same general area, one environmental analysis and assessment of EIS may serve to meet NEPA requirements. A joint environmental assessment should be developed, where feasible and desirable, for the agencies to coordinate their individual efforts. Where predator control programs are carried out and there is an opportunity for cooperative planning of those programs with the FS, each State office must develop procedures for preparing joint BLM-FS environmental assessments. These procedures are developed in cooperation with the FS, APHIS, and the appropriate State agencies, and must be in accordance with the final EIS on ADC, identified in .31 above. These procedures should include criteria for determining under what conditions a cooperative effort would be appropriate and how it would be administered. As a minimum, joint EAs should include proximity of land units; objectives and impacts of proposed control programs; proposed target species; presence of threatened, endangered, or sensitive animal species; and lead agency identification and responsibility. In situations where a joint analysis is not feasible or desirable, State and District Office personnel must coordinate their efforts with the FS, where affected lands are within close proximity.

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.4 Predator and Rodent Damage Control.

.41 Restrictions on Control Activities. Because of the increasing use of the public lands and hazards associated with some control devices and activities, ADC must be carefully regulated as to where, when, and under what circumstances it may be authorized.

A. Threatened or Endangered Species Habitat. Chemical toxicants or other control methods must not be authorized where threatened or endangered species are present which might be harmed, unless the FWS biological opinion reflects "no effect" or otherwise provides for use in a manner that will not affect listed species (see BLM Manual Section 6840). The need for such consultation should also be coordinated with the APHIS officials.

B. Public Health. Strict measures must be taken to protect human health and safety in accordance with restrictions or other measures specified by appropriate authorities.

C. Designated Wilderness and Wilderness Study Areas. Animal damage control in such areas may be necessary to protect federally listed threatened or endangered species, to prevent transmission of diseases or parasites affecting other wildlife and humans, or to prevent serious losses of domestic livestock. Control of nonindigenous species also may be necessary to reduce conflicts with indigenous species, particularly if the latter species are threatened or endangered. The guidelines below apply to ADC activities in wilderness areas and were concurred in jointly by BLM, the Forest Service, and the International Association of Fish and Wildlife Agencies in August 1986.

1. Acceptable control measures include lethal and nonlethal methods, depending upon need, justification, location, conditions, efficiency, and applicability of State and Federal laws.

2. Control measures will be implemented by the Animal and Plant Health Inspection Service, the administering agency, the State fish and wildlife agency, or other approved State agency pursuant to cooperative agreements or memoranda of understanding.

3. Animal damage control in designated wilderness areas must be approved by the State Director on a case-by-case basis. Such approval is required only for those activities that are to take place in the designated area.

4. Direct control at individual animals causing the problem.

5. Use only the minimum amount of control necessary to solve the problem.

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6. Use pesticides only where other measures are impractical. Use only registered pesticides according to label directions and subject to the following restrictions:

a. Pesticides may be applied only by certified pesticide applicators.

b. The placement of pesticides shall be accurately indicated on the largest scale USGS map with a scale of 1:100,000 or suitable size. Such maps should be made available to the BLM for public information or other appropriate use.

c. Place warning signs at the entrance to the area where pesticides are being used to warn the public of any dangers to themselves or their pets.

d. In the selection of pesticides, give preference to those that will have the least impact on nontarget species and on the wilderness environment.

D. Establishment of Special Protection Area. The BLM District Manager must establish and delineate, on a map, special protection areas in which certain ADC activities must be restricted or prohibited to ensure public safety and to protect threatened or endangered wildlife and domestic animals. Areas which must be so designated include:

1. Recreation Areas. Any area which is now, or may become, a recreation concentration area such as developed recreation sites, picnic areas, hunter or off-road vehicle (ORV) concentration areas, or any other area where a public nuisance or hazard could be created.

2. Residences and Communities. An appropriate zone surrounding residences or communities.

3. Highway, Road, and Trail Corridors. Appropriate corridors along commonly traveled highways, roads, or trails.

4. Threatened or Endangered Species Habitat. Any area or the proximity thereof, inhabited by species classified by the State or Federal Government as threatened or endangered.

5. Restricted Aerial Hunting Areas. Any area where hunting from aircraft for ADC purposes could be a hazard to the public or harmful to an important resource value.

6. Dog Use Areas. Areas where dogs are used for bird hunting or where dogs are commonly trained or exercised.

7. Research Natural Areas. No ADC may be authorized except in highly unusual or emergency situations.

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E. General Restrictions.

1. Human Safety Zones. Unless needed for the protection of human health or in response to a serious emergency situation, no control devices are permitted in the areas established as human safety zones.

.42 Control Methods. Control methods and devices which may be used on the public lands include traps, snares, aerial gunning, calling, terrestrial shooting, M-44's, and any other toxicants and devices available to the APHIS. The use of M-44's is also subject to special restrictions established by the EPA (see Appendix 1).

.43 ADC Evaluation. As part of the ADC plan process annual evaluations conducted jointly by BLM and APHIS should occur to ensure maintenance of viable populations of target species and to evaluate results of control efforts. Such evaluations conducted for areas receiving intensive control should be based on the results of monitoring. Monitoring of target species is a joint responsibility between BLM and APHIS in consultation with appropriate State management agency(ies).

.44 Authorization Criteria. ADC programs may be authorized on public lands only when a documented damage problem or danger to public health exists. The presence of predator and rodent populations alone does not justify control measures.

.45 Processing Control Requests.

A. Procedures for Requesting Control Services. As specified in .06, complaints and requests for control services by ranchers and other private individuals must be submitted directly to APHIS where an approved ADC plan exists in a BLM District. This helps ensure a rapid response to damage problems. A record of complaints and control requests is kept by the APHIS for consideration at the time the annual ADC plan is developed (see Illustration 1). BLM needs for predator and rodent damage control programs and data such as harvest records, are also identified at that time. Where there is no approved ADC plan, the BLM notifies the APHIS or other appropriate ADC agency and moves to develop such a plan as soon as possible.

B. Nonemergency Situations. To be considered for preventive or planned predator control activities, the affected parties or individual must submit a request for control and loss statement prior to the annual ADC meeting. The APHIS keeps a record of all such requests and loss reports for later consolidation and consideration when the annual ADC plan is developed.

C. Emergency Situations. The procedures outlined in .53E are used when an emergency damage problem exists requiring immediate control activities.

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D. Preventive Damage Control may be authorized through the ADC plan where the affected individual(s) has requested control services or where the APHIS has evaluated and documented that losses have occurred and will continue or recur in the absence of control activities. ("Historically occurred" means that a significant problem has occurred one or more times per year).

E. Corrective Damage Control. ADC activities in response to current damage problems may be authorized where:

1. The affected individual(s) has requested control services.
2. The APHIS has verified and documented that a current (within the last 30 days) damage problem exists and is significant enough to warrant control services. (See .53E on emergency ADC for procedural details.)

F. Review and Decision.

1. Review. Based on a review of the damage problem, the anticipated impacts of proposed control measures and multiple-use considerations, a joint decision must be made on whether or not to proceed with the proposal.

2. Nonchemical Projects. Projects involving nonchemical methods may be incorporated immediately into the ADC plan.

3. Projects Using Chemical Toxicant. If a chemical is involved, the proposal must be sent to the WO-230 on a Pesticide Use Proposal (see BLM Manual Section 9011). After this WO review, the chemical control project must be incorporated into the ADC plan. The BLM must be notified each time chemical toxicants are used to enable it to answer any questions regarding the use of such toxicants in the target area.

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.5 Annual Damage Control Plan and Map. ADC programs on the public lands must be carried out according to an annual ADC plan. The plan and associated map are developed for each BLM District by APHIS. ADC agencies, the appropriate State management agency(ies), and the BLM District Manager must meet at least once per year for the purpose of reviewing and modifying the plan, as appropriate. Other agencies and/or parties may be included according to the local situation and needs.

.51 Procedures for Developing ADC Plan. The following procedures must be used for developing ADC plans.

- A. Consolidate Forms Documenting Control Requests and Loss Problems. The APHIS annually consolidates the forms (see Illustration 1) filled out in the past 12 months which document control requests and livestock damage problems, and delineate on map(s) the areas involving BLM lands.
- B. Evaluate Control Requests and Prepare Proposed ADC Plan. The APHIS evaluates each documented control request and determines whether losses have occurred and will continue or recur in the absence of control activities. Based on areas which meet these criteria, the ADC agency prepares a proposed ADC plan, including a map showing allotments in which control activities are planned. Plan format and components are described in .53.
- C. Summary of Accomplishments. Include a table showing numbers of animals removed by species, by allotment/geographic area, and the methods used/effort expended during the previous year.
- D. Forward to BLM. The APHIS forwards the proposed ADC plan and associated map(s) to the BLM District Manager for review prior to the annual coordination meeting.
- E. Meet to Process ADC Plan. The BLM District Manager, the APHIS, and State management agency(ies) then meet to:
1. Review ADC needs and requests.
 2. Evaluate the previous year's program.
 3. Review the proposed ADC plan and associated map.
 4. Delineate on the map(s) planned control, restricted control, no-control, and safety areas (see .53).
 5. Evaluate and, where appropriate, incorporate rodent damage control projects.
 6. Complete processing of the ADC plan for the upcoming 12 months and prepare the associated map.
 7. Complete evaluation and monitoring section as appropriate.

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F. Plan Approval. The APHIS completes the mutually agreed on plan, obtains State management agency(ies) concurrence, and then submits it to the BLM District Manager for signature.

.52 ADC Color-Coded Map. A map must be developed for each plan and must be an integral part of the plan. The map(s) must show, using color coding, the following areas based on allotment or ranch unit boundaries.

- A. Human safety zones (in red).
- B. No control zones (no coloration).
- C. Restricted control areas for threatened or endangered species (in yellow).
- D. Restricted control areas for bird hunting areas or other sites frequented by dogs (in brown).
- E. Designated Wilderness Areas and Wilderness Study Areas (in blue).
- F. Planned control areas (in green).
- G. Locations of rodent damage control projects.

.53 Plan Format and Components. The plan format and contents must be as follows:

A. Introduction. This narrative and the associated map constitute the ADC plan for the public lands in the _____ District covering the period of _____. This plan specifies where, when, and under what restrictions ADC functions will be carried out as mutually agreed by the signatory parties hereto.

B. Results of Previous Year's Program. Include a summary of accomplishments of the previous year's program and a review of any available monitoring information. In consultation with State management agency(ies) and APHIS officials, review sport and fur harvest information within intensive control areas if available. Based upon the above and the previous year's ADC activities, analyze population trends of target species within intensive control areas. Use information in this section in developing planned ADC activities for the coming year.

C. Basis for Program. Insert here a written explanation of the livestock depredation problems upon which the ADC program is based as developed by the ADC agency. This should include the nature and extent of the problem, economic losses involved, and the number of livestock operator requests for control measures. Explain the justification for any rodent damage control project in the plan. All livestock operator control requests and associated APHIS forms may be attached to the plan as an appendix, if desired.

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D. Planned ADC Activities.

1. Predator Damage Control. Explain where and what predator damage control work is authorized and planned, relating to specific color-coded areas (by ranch unit) delineated on accompanying ADC map(s). For example:

a. Control operations, including trapping, snares, calling, and aerial gunning may be conducted by the APHIS within the planned control areas shown in green at the discretion of APHIS.

b. Aerial gunning may be conducted by the APHIS only from November 1 through January 15 in the restricted control areas shown in yellow.

2. Rodent Damage Control. Explain where and what rodent damage control projects are authorized and planned. Specify the methods to be used. Show on the accompanying ADC map the specific sites where control is authorized.

E. Stipulations and Restrictions. Specifically state the stipulations and restrictions involved. These must include the following. Others should be added, as appropriate.

1. Area of Control. ADC activities are limited to the allotments within the planned control (in green) and restricted control areas (yellow, brown, and blue), unless an emergency develops as provided for in .53E.

2. Aerial Gunning. Hunting coyotes from helicopters or airplanes may be allowed only within the control areas for the dates shown. Aerial hunting other than for the dates shown or in a no-control area is prohibited unless the District Manager consents.

3. Human Safety Zones. No control devices are allowed within the public safety zones shown in red and/or specified below.

a. Within one-fourth mile or other appropriate buffer zone of any residence or community.

b. Within one-fourth mile or other appropriate buffer zone of any State or Federal highway.

c. Within one-fourth mile or other appropriate buffer zone of all developed recreation sites.

4. Bird Hunting Areas. Traps, snares or stationary toxicants are not allowed during the bird hunting seasons in the areas shown in brown. If traps or snares are placed in that area, they must be removed by the ADC agency at least 2 days before the opening of the bird hunting season.

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5. Posting Control Areas. The ADC agency must post signs to provide adequate warning of all areas where control devices are in use. Enough signs must be installed at commonly used gates, access points, and where appropriate, at the specific device location to ensure proper public notification.

6. Checking of Control Devices. Traps, snares, and other devices must be checked at intervals, consistent with State regulations, to facilitate the release of nontarget animals.

7. Modification of Control Areas. The BLM District Manager may, at any time, deny any ADC activities on the public lands for multiple-use management or public safety reasons. The District Manager may also modify areas where control is permitted as to the degree and type of control. This must be done in consultation with the State Director of the ADC agency.

8. Others. Incorporate other measures as appropriate.

F. Emergency ADC. Situations may develop which warrant ADC activities in designated no-control areas or in areas where no ADC plan exists. Such needs are handled on a case-by-case basis using the following procedures, and must be based on a livestock operator's request for control measures or on public health or safety concerns.

1. Requesting Control. The affected individual(s) must submit loss data and request control to APHIS.

2. Problem Evaluation. The APHIS evaluates the loss data and determines whether emergency control measures are warranted. If immediate action is warranted and the control area does not involve established safety zones, the ADC agency conducts necessary control operations using permitted methods and notifies the Bureau as soon as possible. If time is not of the essence then the procedures described below must be used.

3. Submissions to BLM District Manager. For each animal damage complaint for which emergency control measures are proposed, the APHIS must provide the District Manager:

a. A project report request form verifying that the affected operator has submitted a claim for that particular problem, and that a predator-caused livestock kill problem has recently occurred.

b. A brief written explanation of where control measures are proposed, the methods to be used, and how long activities will continue.

4. The District Manager will evaluate the control request, based on the information provided, decide whether to approve control operations, and notify the appropriate APHIS official.

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5. If control operations are authorized, the damage control request form and associated information must be added to the ADC plan. The geographical area(s) involved are also delineated on the ADC map.

G. Approval. The plan must be signed by the agencies involved, according to the following format:

"This plan authorizes ADC activities on public lands by the _____ subject to the constraints specified herein, and the requirements of all pertinent Federal and State laws, Executive Orders, and regulations. It is mutually agreed that all ADC activities will be carried out according to this plan.

Supervisor, Animal and Plant Health Inspection Service

Representative, State Agency(ies)

District Manager, Bureau of Land Management"

H. Display of Plan and Map. Copies of the ADC plan and map must be filed in the BLM District Office, the local ADC agency office, and the local State wildlife agency. In the BLM office, the plan ~~EA and map must be~~ displayed so that it is available to the public and District personnel at all times.

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Glossary of Terms

-A-

animal damage control: the control of wild animals which habitually prey on domestic livestock or threatened or endangered species or detrimentally affect vegetal resources, earthwork structures, or human health and safety.

aerial gunning: the killing of predatory mammals from an aircraft.

allotment: a specific area of public lands within which grazing use by one or more livestock operators is authorized.

animal damage control agency: the APHIS or the State agency with which APHIS has a cooperative agreement for conducting ADC programs.

Animal Damage Control Plan: an organized plan for each BLM District jointly developed by BLM, the ADC agency (or agencies), the State wildlife agency, and other interested parties specifying when, where, how, and under what constraints ADC operations will be carried out during the next 12 months. A map showing planned control, restricted control, no control, and special protection areas is part of the plan.

-C-

calling: the killing of predatory mammals by luring them into shooting range with a call device.

chemical toxicant: chemical substances used to kill rodents, birds, or predatory mammals.

-D-

demonstrated need: (1) the livestock loss criteria in .51 accompanied by a damage complaint and request for control by the livestock operator affected, or (2) where, according to a field investigation, rodents (including prairie dogs, ground squirrels, kangaroo rats, gophers, or porcupines) are causing significant detrimental impacts on public land resources, or earthwork structures, and rodent control would not conflict with the natural ecological balance, or (3) where a human health danger exists, as determined by the State or Federal Environmental Protection Agency, because of rabies or plague-infested wild animals on the public lands, or (4) where the State wildlife agency has determined that damage control operations are necessary for the protection or management of wildlife resources.

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endangered species: wildlife classified as endangered by the Federal Government in which ADC operations are being conducted. This refers to animals that are so threatened by present circumstances as to be in danger of extinction.

Environmental Protection Agency restrictions: the restrictions established by the EPA which pertain specifically to the use of the M-44 sodium cyanide device or other registered toxicant.

-L-

livestock operators: domestic livestock producers who have grazing privileges and are licensed to graze livestock on public lands.

local population: the population within a specified geographical area causing damage to human health and safety, to other wildlife, or to forest, range, and agricultural resources.

-M-

M-44 device: a tubular shaped spring-operated cyanide ejector device which kills animals by propelling the cyanide into their mouths.

-N-

no-control areas: public lands where no ADC activities are planned or authorized because animal damage problems have not been identified, the need for control measures has not been reasonably justified and/or livestock operators have not requested control measures. Such areas, or parts thereof, may be opened up for control work at the District Manager's discretion if a substantial predation or depredation problem develops.

-O-

offending animal: the individual animal or local population within a specified area causing damage to human health and safety, to other wildlife, or to forest, range, and agricultural resources.

-P-

planned control areas: sites on public land where ADC activities are planned, based on a substantiated damage problem, and approved by the District Manager in the District ADC plan.

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-R-

restricted control areas: include public lands where ADC is planned for the designated control period, but control authorization is limited to certain methods or times of the year for multiple-use considerations, including, but not limited to, safety of humans and their pets, human health, or protection of threatened or endangered wildlife, unique recreation values, or adjacent crops.

-S-

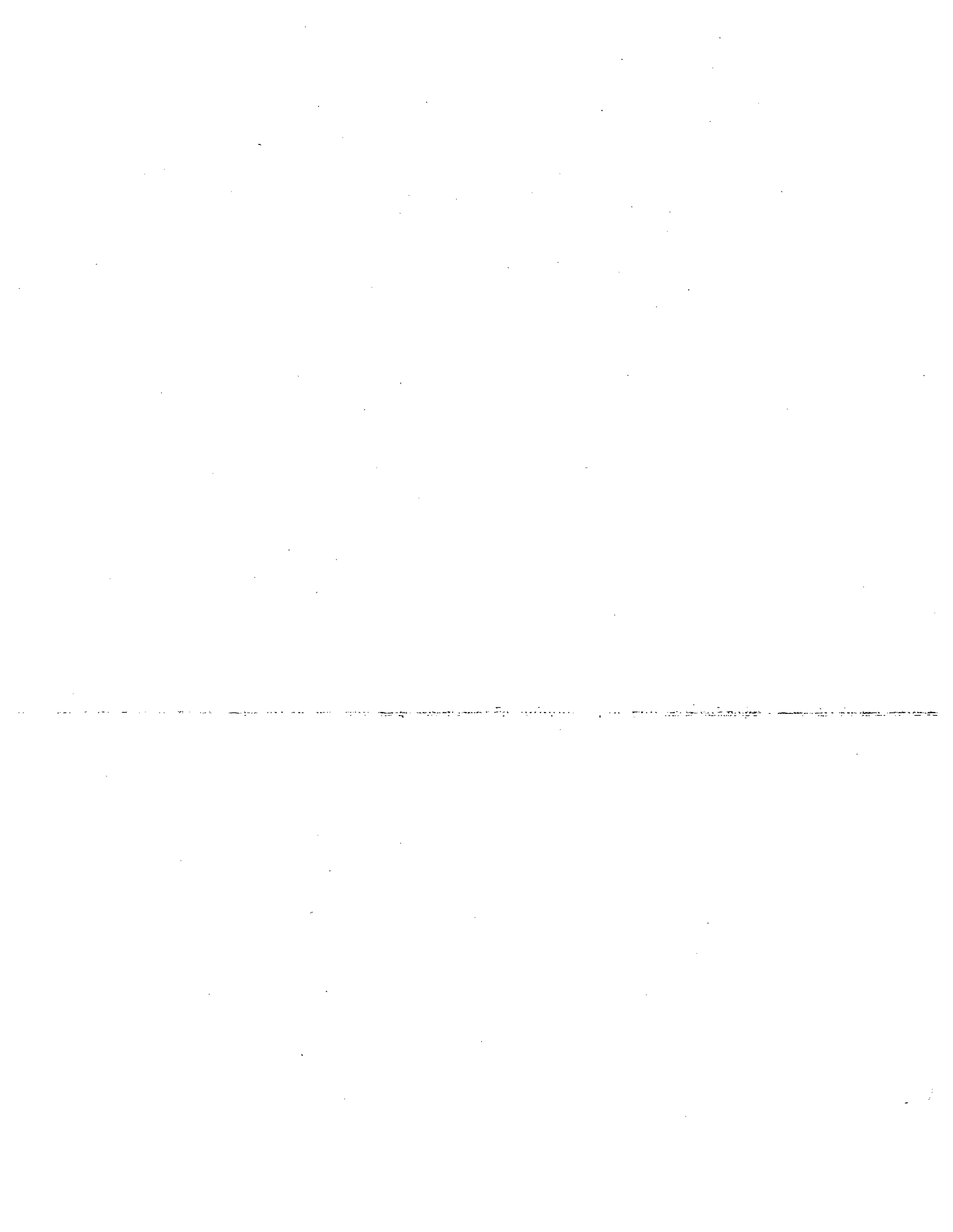
snare: trapping devices consisting of a loop or noose usually of twisted wire, designed to capture an animal by its head or leg.

special protection areas: public lands where control measures are not allowed, except for the protection of public health or unusual emergency. Examples include human concentration areas such as towns, developed recreation sites, and areas commonly frequented by recreationists.

State wildlife agency: the State agency, normally the Department of Fish and Game or Wildlife Division, which has legal responsibility for protection and management of the State's resident wildlife.

-T-

threatened species: wildlife classified as threatened by the Federal Government and/or the State in which ADC operations are being conducted. This refers to animals that are so threatened by present circumstances as to be in danger of extinction.



UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE ANIMAL DAMAGE CONTROL PROJECT REPORT			STATE New Mexico	COUNTY Ox	DATE 6/26/88
NAME OF RESOURCE OWNER OR CONTACT Bill Woolgrower		ADDRESS P.O. Box xxx, Smalltown, New Mexico 88101			TELEPHONE 711-xxxx
LOCATION OF DAMAGE OR INCIDENT Near salt tanks in Red Bird Allotment			PROJECT TYPE <input type="checkbox"/> Urban Damage Prevention <input type="checkbox"/> Urban Damage <input type="checkbox"/> Airport Safety <input type="checkbox"/> Rural Damage Prevention <input checked="" type="checkbox"/> Rural Damage <input type="checkbox"/> Disease Suppression (specify in comments)		
CONFIRMED DAMAGE/INCIDENT			UNCONFIRMED DAMAGE/INCIDENT		
Number 5	Type lams	Approximate Value \$150.00	Number 3	Type lams	Approximate Value \$90.00
SPECIES RESPONSIBLE coyote		LAND STATUS <input checked="" type="checkbox"/> Private <input checked="" type="checkbox"/> Federal (specify) BLM <input type="checkbox"/> State <input type="checkbox"/> Other (specify)			

COMMENTS (Recommendations, dates of losses, results of work, types of disease, etc.)

Two coyotes trapped in area by 5/15/88. Recheck of area on 6/22/88 revealed no further losses. Loss value as reported appears realistic.

RECEIVED AND REPORTED BY ADC REPRESENTATIVE

Dan Havaheart

Personal Phone
 Written Other

ADC FORM 14
(FEB 88)

PART 1 - STATE COPY

6831 - ANIMAL DAMAGE CONTROL
 Project Report Form

Illustration 1
 ADC Form 14
 (.45)



6830 - ANIMAL DAMAGE CONTROL

M-44 Cyanide Capsule Use Restrictions

M-44 Cyanide Capsules
M-44 Use Restrictions
EPA Registration No. 56228-15

1. Use of the M-44 device shall conform to all applicable Federal, State, and local laws and regulations.
2. Applicators shall be subject to such other regulations and restrictions as may be prescribed from time-to-time by the U.S. Environmental Protection Agency (EPA).
3. Each applicator of the M-44 device shall be trained in: (1) safe handling of the capsules and device, (2) proper use of the antidote kit, (3) proper placement of the device, and (4) necessary recordkeeping.
4. M-44 devices and sodium cyanide capsules shall not be sold or transferred to, or entrusted to the care of any person not supervised or monitored, by the Animal and Plant Health Inspection Service (APHIS), Animal Damage Control (ADC) program or any agency not working under an ADC cooperative agreement.
5. The M-44 device shall only be used to take wild canids suspected of preying on livestock, poultry or federally designated threatened or endangered species.
6. The M-44 device shall not be used solely to take animals for the value of their fur.
7. The M-44 device shall only be used on or within 7 miles of a ranch unit or allotment where losses due to predation by wild canids are occurring or where losses can be reasonably expected to occur based upon recurrent prior experience of predation on the ranch unit or allotment. Full documentation of livestock depredation, including evidence that such losses were caused by wild canids, will be required before applications of the M-44 is undertaken.
8. The M-44 device shall not be used: (1) In areas within national forests or other Federal lands set aside for recreational use, (2) areas where exposure to the public and family and pets is probable, (3) in prairie dog towns, or, (4) except for the protection of federally designated threatened or endangered species, in National and State Parks; National or State Monuments; federally designated wilderness areas; and wildlife refuge areas.
9. The M-44 device shall not be used in areas where federally listed threatened or endangered animal species might be adversely affected. Each applicator shall be issued a map, prepared by or in consultation with the U.S. Fish and Wildlife Service, which clearly indicates such areas.
10. One person other than the individual applicator shall have knowledge of the exact placement location of all M-44 devices in the field.

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11. In areas where more than one governmental agency is authorized to place M-44 devices, the agencies shall exchange placement information and other relevant facts to ensure that the maximum number of M-44's allowed is not exceeded.
12. The M-44 device shall not be placed within 200 feet of any lake, stream, or other body of water, provided that natural depression areas which catch and hold rainfall only for short periods of time shall not be considered "bodies of water" for purposes of this restriction.
13. The M-44 device shall not be placed in areas where food crops are planted.
14. The M-44 device shall be placed at least at a 50-foot distance or at such a greater distance from any public road or pathway as may be necessary to remove it from the sight of persons and domestic animals using any such public road or pathway.
15. The maximum density of M-44's placed in any 100 acre pastureland area shall not exceed 10; and the density in any 1 square mile of open range shall not exceed 12.
16. No M-44 device shall be placed within 30 feet of a livestock carcass used as a draw station. No more than four M-44 devices shall be placed per draw station and no more than five draw stations shall be operated per square mile.
17. Supervisors of applicators shall check the records, warning signs, and M-44 devices of each applicator at least once a year to verify that all applicable laws, regulations, and restrictions are being strictly followed.
18. Each M-44 device shall be inspected by the applicator at least once every week, weather permitting access, to check for interference or unusual conditions and shall be serviced as required.
19. Damaged or nonfunctional M-44 devices shall be removed from the field.
20. An M-44 device shall be removed from an area if, after 30 days, there is no sign that a target predator has visited the site.
21. All persons authorized to possess and use sodium cyanide capsules and M-44 devices shall store such capsules and devices under lock and key.
22. Used sodium cyanide capsules shall be disposed of by deep burial or at a proper landfill site.

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23. Bilingual warning signs in English and Spanish shall be used in all areas containing M-44 devices. All such signs shall be removed when M-44 devices are removed.

a. Main entrances or commonly used access points to areas in which M-44 devices are set shall be posted with warning signs to alert the public to the toxic nature of the cyanide and to the danger to pets. Signs shall be inspected weekly to ensure their continued presence and ensure that they are conspicuous and legible.

b. An elevated sign shall be placed within 25 feet of each individual M-44 device warning persons not to handle the device.

24. Each authorized or licensed applicator shall carry an antidote kit on his person when placing and/or inspecting M-44 devices. The kit shall contain at least six pearls of amyl nitrite and instructions on their use. Each authorized or licensed applicator shall also carry on his person instructions for obtaining medical assistance in the event of accidental exposure to sodium cyanide.

25. In all areas where the use of the M-44 device is anticipated, local medical people shall be notified of the intended use. This notification may be through a poison control center, local medical society, the public health service, or directly to a doctor or hospital. They shall be advised of the antidotal and first-aid measures required for treatment of cyanide poisoning. It shall be the responsibility of the supervisor to perform this function.

26. Each authorized M-44 applicator shall keep records dealing with the placement of the device and the results of each placement. Such records shall include, but need not be limited to:

- a. The number of devices placed.
- b. The location of each device placed.
- c. The date of each placement, as well as the date of each inspection.
- d. The number and location of devices which have been discharged and the apparent reason for each discharge.
- e. Species of animals taken.
- f. All accidents or injuries to humans or domestic animals.

U.S. Department of Agriculture
Animal and Plant Health Inspection Service
Animal Damage Control
National Technical Support Staff
Hyattsville, MD 20782
May 13, 1988

STORAGE AND DISPOSAL

STORAGE: Store M-44 cyanide capsules under lock and key in a dry place away from food, domestic animals and acids. Do not contaminate feed or food stuffs.

DISPOSAL: Dispose of defective and used M-44 capsules by burial in a safe location in the field or at a proper land fill site.

RESTRICTED USE PESTICIDE

For retail sale to and use only by certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicators certification.

M-44 CYANIDE CAPSULES

For use in the M-44 ejector device to control coyotes (*Canis latrans*), red fox (*Vulpes vulpes*), gray fox (*Urocyon cinereoargenteus*) and wild dogs that depredate livestock and poultry or federally designated threatened, or endangered species.

ACTIVE INGREDIENT:
Sodium Cyanide 88.62%
INERT INGREDIENTS: 11.38%
TOTAL : 100.00%
50 Capsules Net Weight 46.6 grams

KEEP OUT OF REACH OF CHILDREN

DANGER-POISON



STATEMENT OF PRACTICAL TREATMENT
IF SWALLOWED: CALL A PHYSICIAN OR POISON CONTROL CENTER IMMEDIATELY.

IF SWALLOWED OR INHALED - Prompt treatment is of the utmost importance. Carry patient to fresh air, have him lie down. Patient should breathe the contents of an Amyl Nitrite pearl 15-30 seconds each minute if necessary, until five pearls have been used. Use artificial respiration if breathing has stopped. Remove contaminated clothing, but keep patient warm. CALL A PHYSICIAN IMMEDIATELY.

IF ON SKIN - Immediately flush with plenty of water.
IF IN EYES - Immediately flush with plenty of water and call a physician.

SEE LEFT SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
NATIONAL TECHNICAL SUPPORT STAFF/ADO
Hyattsville, MD 20782
EPA Est. No. 56228-ID-1
EPA Reg. No. 56228-15

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND
DOMESTIC ANIMALS**

DANGER

Sodium Cyanide may be fatal if swallowed or inhaled. Use only with adequate ventilation and do not breathe the gas or dust. When handling, setting out or checking M-44 cyanide capsules, always have at least six pearls of Amyl Nitrite readily available in case sodium cyanide is swallowed or inhaled.

While handling sodium cyanide capsules, protect hands with gloves and shield eyes to prevent eye burns and skin irritation. Wash thoroughly before eating or smoking.

Do not use in areas frequented by humans or domestic dogs.

ENVIRONMENTAL HAZARDS

This pesticide is TOXIC TO WILDLIFE. Keep out of lakes, ponds or streams. Do not contaminate water by cleaning of equipment or disposal of wastes. The M-44 ejector device cannot be used in areas inhabited by endangered canids and felids.

CHEMICAL HAZARDS

Contact with acid liberates poisonous and flammable hydrogen cyanide gas.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

For use in specific situations to reduce canids (coyotes, red fox, gray fox and wild dogs) that depredate livestock and poultry or federally designated threatened or endangered species. For use on pastures, range land and forestland only. Do not place in areas where food crops are raised.

IMPORTANT - Before handling or placing M-44 cyanide capsules or M-44 ejector devices, consult the Use Restriction Bulletin for specific use directions, additional precautions, information on endangered species, warning signs and antidotal measures.

WARNING SIGNS

Bilingual (Spanish/English) warning signs must be posted in the general area and at the application site.

ACCEPTED
with COMMENTS
by EPA Label Desk
MAY 13 1988
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended for the pesticide
registered under EPA Reg. No.
56228-15

6830 - ANIMAL DAMAGE CONTROL

Memorandum of Understanding Between the
BLM and the APHIS

12-34MU7-009

WO-229

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
AND THE
UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
FOR
ANIMAL DAMAGE CONTROL

1.0 INTRODUCTION

The Animal Damage Control (ADC) program was transferred from the Fish and Wildlife Service, U.S. Department of the Interior, to the Animal and Plant Health Inspection Service (APHIS), U.S. Department of Agriculture, by Public Law 99-190 on December 19, 1986. With this change in program administration, it is necessary to develop a mutual understanding between the Bureau of Land Management (BLM) and APHIS concerning the operational principles of animal damage control on BLM-administered lands.

2.0 PURPOSE

The purpose of the Memorandum of Understanding is (1) to identify the responsibilities of the respective agencies in discharging the Federal obligation, under the Animal Damage Control Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426-426b), as amended, for the management of wild vertebrates causing damage on lands administered by BLM; and (2) to establish general guidelines for field offices in order to assure a uniform approach and interpretation by field personnel in carrying out each agency's responsibilities.

3.0 AUTHORITIES

This agreement is made under the authorities of the Economy Act of June 20, 1932 (31 U.S.C. 686, 686b); Federal Land Policy and Management Act of October 21, 1976 (43 U.S.C. 1701-1782); and the Animal Damage Control Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426-426b, as amended).

In relation to control:

The Federal Land Policy and Management Act of October 21, 1976 (43 U.S.C. 1701-1782) generally states that:

". . . the public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values, that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use."

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Section 1 of the Animal Damage Control Act states:

". . . The Secretary of Agriculture is hereby authorized and directed to conduct such investigations, experiments, and tests as he may deem necessary in order to determine, demonstrate, and promulgate the best methods of eradication, suppression, or bringing under control on national forests and other areas of the public domain as well as on State, Territory, or privately owned lands of mountain lions, wolves, coyotes, bobcats, prairie dogs, gophers, ground squirrels, jack rabbits, and other animals injurious to agriculture, horticulture, forestry, animal husbandry, wild game animals, fur-bearing animals and birds, and for the protection of stock and other domestic animals through the suppression of rabies and tularemia in predatory or other wild animals; and to conduct campaigns for the destruction or control of such animals: Provided, That in carrying out the provisions of this Act the Secretary of Agriculture may cooperate with States, individuals and public and private agencies, organizations, and institutions."

4.0 OBJECTIVES

The BLM and APHIS recognize that native animals are resources of value and interest to the people of the United States. The ADC is an integral part of wildlife management and may be required to minimize depredations to livestock and wildlife species; protect endangered or threatened species; maintain viable populations of native wildlife species; preserve ecologically unique areas; minimize rodent and other wildlife damage to forestland, grassland, or cropland; and suppress animal-borne diseases.

It is also recognized that:

A. BLM is responsible for the management of lands under its jurisdiction, including the identification of how these lands are to be used and the establishment or authorization of such management measures as may be necessary to accomplish land and resource management objectives. This includes a determination as to whether ADC practices are compatible with other multiple-use objectives.

B. APHIS is responsible, under the Animal Damage Control Act of March 2, 1931, as amended, for evaluating and determining ADC control techniques to be employed and for conducting forest and range animal damage research.

C. All programs for controlling resident wildlife on BLM lands will be developed and conducted in coordination with the appropriate State agency(ies).

5.0 STATEMENT OF AGREEMENT

A. BLM and APHIS Mutually Agree:

1. To develop and conduct programs for controlling resident wildlife on BLM lands in coordination with the appropriate State management agency(ies).

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2. To coordinate control program activities with representatives of other Federal and State agencies, private landowners and other interests that would be affected by the program.
 3. To develop Interagency Guidelines at the the State level between BLM State Offices, APHIS State Directors and other Federal and State management agencies, as appropriate, where such guidelines are needed.
 4. To operate the ADC program within the framework of a BLM District or BLM State Office plan to be jointly developed and to review this plan annually.
 5. To mutually ensure an expeditious response to livestock damage problems, in part, by requiring livestock operators to submit requests for predator control services directly to APHIS who will then confer with BLM on this request and verify the need for control action.
 6. To direct predator damage control toward individual predators or local populations where losses due to predators have been verified or are likely to occur.
 7. To evaluate annually the effectiveness of, and the need for, animal damage control programs and to improve, where practical, programs conducted to meet the objectives of this Memorandum of Understanding.
 8. To ensure that ADC projects initiated under this Memorandum of Understanding will conform to APHIS and BLM policies. Each agency will be responsible for preparing, submitting, and acquiring any required approvals.
 9. To ensure that all questions arising in the field pertaining to the cooperative work of the two agencies be discussed by the local representative of APHIS and BLM, and that areas of disagreement will be referred to the next higher level for resolution.
 10. To consult with the Fish and Wildlife Service as required under Section 7, Endangered Species Act. For areawide animal damage control projects for which APHIS has the lead, APHIS will conduct the consultation. If BLM initiates an animal damage project only for BLM resource management objectives, BLM will consult as required by section 7.
 11. APHIS will develop a programmatic environmental impact statement in accordance with the National Environmental Policy Act (NEPA) and meeting the Council of Environmental Quality's regulations (40 CFR 1500-1508) which could be adopted by the BLM for Environmental Assessment (EA) purposes.
- B. Specific agency responsibilities include:
1. The BLM Agrees to:
 - a. Determine whether ADC will be authorized on the public lands under its stewardship.

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b. Participate in the evaluation of the need for ADC (including rodent damage control) programs for the protection of BLM and/or private resources.

c. Identify and delineate human safety zones and other areas where, for multiple-use reasons, ADC tools will be restricted or not allowed.

d. Prepare EA's for region-wide or site-specific activities, as applicable, with APHIS recommendations and input. These EA's will be tiered to the APHIS ADC environmental impact statement.

2. APHIS Agrees to:

a. Take the lead in preparation of an annual ADC plan for each BLM District. Such plans will be coordinated with the appropriate State management agency(ies) and approved by the BLM District Manager and APHIS State Director.

b. Review and evaluate requests for control and conduct control work as provided for in the ADC plan pertaining to public lands.

c. Ensure that ADC activities are compatible with existing appropriate laws and regulations.

d. Be responsible for overall coordination and management of the ADC program, including arrangement of interagency meetings whenever needed.

e. On an annual basis, provide a report to the BLM of animal control activities on public lands.

~~f. Provide the BLM with state-of-the-art information on animal damage control.~~

g. Upon request of the BLM, develop and carry out surveys necessary for the monitoring of population levels and distribution of selected large carnivores, other vertebrate pest species for which inventory techniques are available or might be developed, and for which there is a need for such information for management. Any such surveys would be coordinated with the appropriate State management agency(ies).

6.0 EFFECTIVE DATE/MODIFICATION AND DURATION

This MOU will become effective upon the date subscribed by the last signatory, and shall continue in force until terminated by either agency upon 90 days written notice to the other.

Amendments to this MOU may be proposed by either agency at any time and shall become effective upon approval by the other agency, unless otherwise stated.

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Both parties agree that this MOU shall serve as a guide for development of State-specific Interagency Guidelines, which shall address in more detail those management matters specific to each State.

This MOU is intended to define the general terms under which concerned parties will cooperate and does not constitute a financial obligation.

The responsibilities assumed by cooperating parties are contingent upon availability of funds appropriated for this purpose by Congress.

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Land Management

By *Robert Bumpert*
Date AUG 17 1987
Title Director

UNITED STATES DEPARTMENT OF AGRICULTURE
Animal and Plant Health Inspection Service

By *Deirdre Hawkins*
Date 7/16/87
Title Administrator

