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Thursday  
May 13, 1999

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**Part XII**

**Department of the  
Interior**

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**Fish and Wildlife Service**

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**Migratory Bird Hunting; Intent To Prepare  
an Environmental Impact Statement on  
White Goose Management; Notice**

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Migratory Bird Hunting; Notice of Intent To Prepare an Environmental Impact Statement on White Goose Management

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of intent.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service or "we") is issuing this notice to advise the public that we are initiating efforts to prepare an Environmental Impact Statement (EIS) that considers a range of management alternatives aimed at addressing population expansion of lesser snow geese, Ross' snow geese, and greater snow geese (white geese). This notice describes possible alternatives, invites public participation in the scoping process for preparing the EIS, and identifies the Service official to whom questions and comments may be directed. Potential sites of public scoping meetings in important white goose migration and wintering areas are yet to be determined. A notice of public meetings with the locations, dates, and times will be published in the **Federal Register**.

**DATES:** Written comments regarding EIS scoping should be submitted by July 12, 1999, to the address below.

**ADDRESSES:** Written comments should be sent to the Chief, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, Department of the Interior, ms 634—ARLSQ, 1849 C Street NW., Washington, DC 20240. The public may inspect comments during normal business hours in room 634—Arlington Square Building, 4401 N. Fairfax Drive, Arlington, Virginia.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jonathan Andrew, Chief, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, Department of the Interior, (703) 358-1714.

**SUPPLEMENTARY INFORMATION:** With regard to Mid-continent light geese, because of the high population levels and habitat destruction described below, we believe that management action is necessary. In fact, we promulgated regulations on February 16, 1999, (64 FR 7507; 64 FR 7517) that

authorized additional methods of take of light geese and established a conservation order for the reduction of the Mid-continent Light Goose Population. In issuing those regulations, we indicated that we would initiate preparation of an EIS beginning in 2000 to consider the effects on the human environment of a range of long-term resolutions for the MCLG population problem. Those regulations were subsequently challenged in Federal District Court by several animal rights groups. Though the judge refused to preliminarily enjoin the program, he did indicate a likelihood that the plaintiffs might prevail on the EIS issue when the lawsuit proceeded. In light of our earlier commitment to prepare an EIS on the larger, long-term program and to preclude further litigation on the issue, we decided to withdraw the regulations and to begin preparation of the EIS now.

**Mid-Continent Light Geese**

Lesser snow (*Anser c. caerulescens*) and Ross' (*Anser rossii*) geese, that primarily migrate through the Central and Mississippi Flyways, are collectively referred to as Mid-continent light geese (MCLG) because they breed, migrate, and winter in the "Mid-continent" or central portions of North America. They are referred to as "light" geese due to the light coloration of the white-phase plumage form, as opposed to "dark" geese such as white-fronted geese or Canada geese. We include both plumage forms of lesser snow geese (white, or "snow" and dark, or "blue") under the designation light geese.

The total MCLG population is experiencing a high population growth rate and has substantially increased in size within the last 30 years. Potential reasons for this high growth rate include decreased harvest rates, availability of waste grains in agricultural areas, establishment of refuges, and higher survival rates. The total MCLG population is comprised of two population segments; namely the Mid-continent Population (MCP) and the Western Central Flyway Population (WCFP). We use operational surveys conducted annually on wintering grounds to derive a winter index to light goose populations. The winter index of MCP light geese has more than tripled within 30 years from an estimated 800,000 birds in 1969 to approximately

2.6 million birds in 1999 and has increased an average of 5% per year for the last ten years (Abraham et al. 1996, USFWS 1998). The 1999 MCP winter index of 2.6 million geese is comprised of approximately 2.4 million lesser snow geese and 147,000 Ross' geese. The winter index of WCFP light geese has quadrupled in 23 years from 52,000 in 1974 to 216,000 in 1997 (USFWS 1997), and has increased an average of 9% per year for the last ten years (USFWS 1998). Counts of light geese wintering in Mexico are obtained every 3 years, therefore 1997 represents the last year that a total WCFP count was made. The 1997 WCFP winter index of 216,000 geese is comprised of approximately 151,000 lesser snow geese and 65,000 Ross' geese.

The total MCLG population (MCP and WCFP combined), based on the 1997 and 1999 winter indices, is approximately 2.8 million geese (Table 1). In 1991, the Central and Mississippi Flyway Councils jointly agreed to set lower and upper management thresholds for the MCP of snow geese at 1.0 million and 1.5 million, respectively, based on the winter index. Therefore, the current winter index of MCP lesser snow geese far exceeds the upper management threshold established by the Flyway Councils. Segments of the total MCLG population have also exceeded North American Waterfowl Management Plan (NAWMP) population objectives, which are also based on winter indices. The MCP lesser snow goose winter index of 2.4 million birds far exceeds the NAWMP population objective of 1 million birds (USDOI et al. 1998). The lesser snow goose portion of the WCFP light goose winter index is estimated to be 151,000 birds, which exceeds the NAWMP population objective of 110,000 birds (USDOI et al. 1998). The estimate of the total MCLG population winter index (WCFP and MCP combined) is approximately 212,000 birds. This exceeds the NAWMP Ross' goose population objective of 100,000 birds (USDOI et al. 1998). We compare current population levels to NAWMP population objectives to demonstrate that the total MCLG population has increased substantially over what is considered to be healthy population level.

TABLE 1.—COMPONENTS OF THE MID-CONTINENT LIGHT GOOSE POPULATION (MCLG) WINTER INDEX

Species	MCP <sup>a</sup>	WCFP <sup>b</sup>	Total MCLG	Flyway council goal <sup>c</sup>	NAWMP goal <sup>d</sup>		
					MCP	WCFP	Total MCLG
Lesser snow goose .....	2,429,000	151,000	2,580,000	1.0–1.5 million .....	1,000,000	110,000	1,110,000

TABLE 1.—COMPONENTS OF THE MID-CONTINENT LIGHT GOOSE POPULATION (MCLG) WINTER INDEX—Continued

Species	MCP <sup>a</sup>	WCFP <sup>b</sup>	Total MCLG	Flyway council goal <sup>c</sup>	NAWMP goal <sup>d</sup>		
					MCP	WCFP	Total MCLG
Ross' goose .....	146,800	65,000	211,800	N/A <sup>e</sup> .....	N/A	N/A	100,000
Total .....	2,575,800	216,000	2,791,800	N/A .....	N/A	N/A	1,210,000

<sup>a</sup> Mid-Continent Population (1999 index).

<sup>b</sup> Western Central Flyway Population (1997 index).

<sup>c</sup> Represents lower and upper management thresholds.

<sup>d</sup> North American Waterfowl Management Plan goals.

<sup>e</sup> Not applicable; goal not developed.

By multiplying the current MCLG December index of 2.8 million birds by an adjustment factor of 1.6 (Boyd et al. 1982), we derive an estimate of 4.5 million breeding birds in spring. This is corroborated by population surveys conducted on light goose breeding colonies during spring and summer, which suggest that the breeding population size of MCLG is in excess of five million birds (D. Caswell pers. comm.). The estimate of 4.5 million birds does not include non-breeding geese or geese found in unsurveyed areas. Therefore, the total MCLG population currently far exceeds 4.5 million birds.

We believe that the MCLG population has exceeded the long-term carrying capacity of its breeding habitat and must be reduced. These geese have become seriously injurious to their arctic and subarctic habitat and habitat important to other migratory birds. We have described previously (February 16, 1999; 64 FR 7517) how light geese have impacted breeding habitats through their feeding actions, which triggers a series of events that leads to long-term habitat destruction. Batt (1997) summarized the results of numerous studies that have investigated the dynamics of the MCLG population and the impacts it is having on breeding habitats. We believe that MCLG population reduction measures are necessary to prevent further habitat destruction and to protect the remaining habitat upon which numerous wildlife species depend.

Batt (1997) estimated that the MCLG population should be reduced by 50% by 2005. That would suggest a reduction from the 1999 MCLG winter index of approximately 2.8 million birds to approximately 1.4 million birds. Central and Mississippi Flyway Council management thresholds for MCP lesser snow geese (not including WCFP lesser snow or Ross' geese) rests between 1.0 and 1.5 million birds, based on the winter index. Therefore, our goal to reduce the MCLG population to 1.4 million birds by 2005 closely parallels

those established by Flyway Councils and the scientific community. Using previously mentioned conversion factors, a winter index of 1.4 million would translate to a minimum estimate of 2.24 million breeding MCLG in spring. The estimate of 2.24 million birds does not include non-breeding geese or geese found in unsurveyed areas. Therefore, the total MCLG spring population would be much higher. We plan to carefully analyze and assess the MCLG reduction on an annual basis, using the winter index and other surveys, to ensure that the populations are not over-harvested.

#### Greater Snow Geese

Greater snow geese (*Anser c. atlanticus*) breed in the eastern Arctic of Canada and Greenland and migrate southward through Quebec, New York, and New England to their wintering grounds in the mid-Atlantic U.S. The greater snow goose population has expanded from less than 50,000 birds in the late 1960s to approximately 700,000 today. These estimates are based on operational spring surveys conducted on staging areas in the St. Lawrence Valley. With a growth rate of about 9% per year, the population is expected to reach 1,000,000 by 2002 and 2,000,000 by 2010 (Batt 1998).

Although the greater snow goose population has experienced a high growth rate, studies in the Arctic have not documented extensive damage to breeding habitats as of yet. It is estimated that the population is only about one-half of the carrying capacity of the site of the largest breeding colony on Bylot Island. However, high populations of greater snow geese are negatively impacting natural marshes in the St. Lawrence estuary and some coastal marshes of the Mid-Atlantic U.S. (Batt 1998). The Arctic Goose Habitat Working Group recommended that the population be stabilized by the year 2002 at between 800,000 to 1,000,000 birds (Batt 1998). This strategy is intended to prevent the destruction of arctic habitat that is likely to occur if the

population exceeds the carrying-capacity of breeding areas.

#### Past Management Actions

We have attempted to curb the growth of white goose populations by increasing bag and possession limits and extending the open hunting season length for white geese to 107 days, the maximum allowed by the Migratory Bird Treaty between the U.S. and Canada. However, due to the rapid rise in white goose numbers and low hunter success rates, the harvest rate (the percentage of the population that is harvested) has declined. The decline in harvest rate indicates that current harvest regulations are not sufficient to stabilize or reduce population growth rates.

In cooperation with our State partners, we have developed several Regional Action Plans (Gulf Coast, Midwest, and Northern Prairie) in the central U.S. to implement land management activities that will assist in reduction of the MCLG population. Such activities include land management, water management, increasing accessibility of State and Federal lands to hunters, and development of public outreach programs. We do not believe that Regional Action Plans alone can achieve MCLG population reduction goals. However, the plans will compliment the management alternative chosen as a result of the EIS process.

On February 16, 1999, we published two rules that authorized new methods of take for white geese (electronic calls and unplugged shotguns; 64 FR 7507), and established a conservation order for the reduction of the MCLG population (64 FR 7517). The new regulations were made available only to States in the Mississippi and Central Flyways. Several animal rights groups subsequently filed a legal challenge to the Environmental Assessment and Finding of No Significant Impact upon which the implementation of the rules were based. Although the judge refused to issue an injunction, he did indicate

a likelihood that plaintiffs might succeed on their argument that an EIS should have been prepared. In order to avoid further litigation, we have decided to withdraw those regulations and initiate preparation of an EIS. The regulations will be withdrawn in a separate rulemaking notice in the **Federal Register**.

#### Alternatives

We are considering the following alternatives as a result of public comments received on the Environmental Assessment. After the scoping process, we will develop the alternatives to be included in the EIS and base them on the mission of the Service and comments received during scoping. We are soliciting your comments on issues, alternatives, and impacts to be addressed in the EIS.

##### A. No Action Alternative

Under the No Action Alternative, no additional regulatory methods or direct population control strategies would be authorized. Normal white goose hunting regulations that existed prior to February 16, 1999, would remain in place.

##### B. New Regulatory Alternatives (Proposed Action)

This alternative seeks to provide new regulatory options to wildlife management agencies that will increase the harvest of white geese above that which results from existing hunting frameworks. This approach may include legalization of additional hunting methods such as electronic calls, unplugged shotguns, expanded shooting hours, and baiting. This alternative also includes establishment of a conservation order in the U.S. to reduce and/or stabilize white goose populations. A conservation order would authorize taking of white geese after the normal framework closing date of March 10, through August 31.

The intent of this alternative is to significantly reduce or stabilize white goose populations without threatening their long-term health. We are confident that reduction or stabilization efforts will not result in populations falling below either the lower management thresholds established by Flyway Councils, or the NAWMP population objectives. Monitoring and evaluation programs are in place to estimate population sizes and will be used to

prevent over-harvest of these populations.

##### C. Direct Population Control on Wintering and Migration Areas in the U.S.

This alternative would involve direct population control strategies such as trapping and culling programs, market hunting, or other general strategies that would result in the killing of white geese on migration and/or wintering areas in the U.S. Some of these types of control measures could involve disposal of large numbers of carcasses.

##### D. Seek Direct Population Control on Breeding Grounds by Canada

This alternative, if successful, would involve direct population control strategies, such as trapping and culling programs, market hunting, or other general strategies, that would result in killing of white geese on breeding colonies in Canada. Some of these types of control measures could involve disposal of large numbers of carcasses. We do not have the authority to implement direct population control measures on migration or breeding areas in Canada. Therefore, this alternative would require extensive consultation with Canada in order to urge implementation of control measures on breeding areas. Such measures may or may not involve active U.S. participation.

#### Issue Resolution and Environmental Review

The primary issue to be addressed during the scoping and planning process for the EIS is to determine which management alternatives for the control of white goose populations will be analyzed. We will prepare a discussion of the potential effect, by alternative, which will include the following areas:

- (1) White goose populations and their habitats.
- (2) Other bird populations and their habitats.
- (3) Effects on other species of flora and fauna.
- (4) Socioeconomic effects.

Environmental review of the management action will be conducted in accordance with the requirements of the National Environmental Policy Act (NEPA), as appropriate. This Notice is being furnished in accordance with 40 CFR 1501.7, to obtain suggestions and

information from other agencies, tribes, and the public on the scope of issues to be addressed in the EIS. A draft EIS should be available to the public in the fall of 1999.

#### Public Scoping Meetings

A schedule of public scoping meeting dates, locations, and times is not available at this time. Notice of such meetings will be published in the **Federal Register**.

#### References Cited

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- Batt, B.D.J., editor. 1997. Arctic ecosystems in peril: report of the Arctic Goose Habitat Working Group. Arctic Goose Joint Venture Special Publication. U.S. Fish and Wildlife Service, Washington, DC and Canadian Wildlife Service, Ottawa, Ontario. 120 pp.
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*Authorship.* The primary author of this Notice is James R. Kelley, Jr., Office of Migratory Bird Management.

Dated: May 7, 1999.

#### John G. Rogers,

Acting Director, U.S. Fish and Wildlife Service.

[FR Doc. 99–12141 Filed 5–12–99; 8:45 am]

BILLING CODE 4310–55–P