

February 25, 2011

Mr. Martin S. Lowney
USDA, APHIS, Wildlife Services
1930, Route 9
Castleton, NY 12033-9653

Subject: EPA Review of the Supplement to the Environmental Impact Statement Gull Hazard Reduction Program, John F. Kennedy International Airport; CEQ# 20110001; ERP# APH-C99009-NY

Dear Mr. Lowney:

Consistent with our responsibilities under Section 102(2)(C) of the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, the U.S. Environmental Protection Agency (EPA) has reviewed the Supplement to the Environmental Impact Statement (SEIS) Gull Hazard Reduction Program at John F. Kennedy International Airport. The purpose of the SEIS is to address land use and bird population changes since the completion of the 1994 Final EIS and specifically to review bird strike hazards and reduction methods associated with species other than gulls.

EPA recommends the enhancement of two areas of the SEIS. One is clarification of the role that the John F. Kennedy Wildlife Management Unit (JFKWMU) plays for off-airport bird hazard management. The SEIS explained that the "Port Authority of New York and New Jersey (PANYNJ) does not have the authority to require nearby property owners to reduce habitat features for birds" at off-airport sites but that JFKWMU can consult with landowners to coordinate wildlife management efforts, and that the property owners and managers of some of the primary wildlife attractants in the vicinity of JFK have been included on the Bird Hazard Task Force (BTF). Clarification is needed to further explain the relationship JFKWMU has with property owners and managers and what sort of assistance is provided to them. While the SEIS contains details on off-airport bird management approaches and states that they do not pay for off-airport bird management, there is a paucity of information in the SEIS regarding the relationship between JFKWMU and local land owners and managers. EPA believes that the effectiveness of overall bird hazard reduction efforts is contingent upon effective on- and off-airport management approaches and thus clarification of the assistance provided to off-airport land owners and managers is an essential component of a comprehensive SEIS.

EPA commends Wildlife Services (WS) for including a discussion on the humaneness of various lethal bird hazard reduction options, but also believes that the SEIS could be strengthened by a more detailed discussion and analysis of the relative stress caused to birds by the various methods discussed. For example, there are multiple nest disruption and destruction techniques

discussed in the document. An analysis or discussion of the relative stress caused by the various techniques as well as a discussion regarding why WS selects one approach over another would provide the public with a better understanding of the impacts these methods have on animal welfare.

In accordance with policy, EPA has rated each of the alternatives since a preferred alternative was not identified. Based on our review, Alternatives 1, 3, 5 and 6 are rated LO indicating that we have a lack of objection for on-airport hazard reduction efforts and Alternatives 2 and 4 as LO-2, indicating that we have a lack of objection but request additional information regarding off-airport hazard reduction efforts.

Thank you for the opportunity to comment. Should you have any questions concerning this letter, please contact Stephanie Lamster of my staff at 212-637-3465.

Sincerely,

Carlos Ramos, Acting Chief
Strategic Planning Multi-Media Programs Branch

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