

Massachusetts Habitat Conservation Plan for Piping Plover

Appendix D: Mitigation Plymouth Long Beach

Plymouth Long Beach 2016 Predator Management Plan

Purpose

To work with the U.S. Department of Agriculture's Wildlife Services (WS) to conduct a predator management project that effectively reduces avian and mammalian predation for nesting piping plovers, least terns, and other coastal waterbirds nesting at Plymouth Long Beach.

Scope of Services

The WS program will provide wildlife damage management assistance to alleviate problems caused by avian and mammalian predators on Plymouth Long Beach. The benefits expected from the WS program include WS expertise through evaluation and enhancement of existing damage management strategies, organizational support, and provision of additional predator management activities and equipment through operational assistance.

Conflict resolutions will be sought using an integrated approach. The determinations of methods employed will depend on considerations of selectivity, humaneness, human safety, effectiveness, practicability, and cost.

Damage Management Strategies: Operational work in authorized areas will be conducted using integrated nonlethal and lethal strategies. WS program personnel will direct operational work toward specific depredating individual animals or local populations by selecting the time, location, technique and specific application of management methods in collaboration with the Town of Plymouth's Department of Marine and Environmental Affairs (MEA) staff.

Damage Management Methods and Techniques: The basic operational methods incorporated under this project for managing avian and mammalian predation will include and be limited to: (1) placement and monitoring of live traps (box traps), (2) assisting in the placement, and monitoring of exclosures and other exclusionary or predator scaring devices and equipment, (3) using night vision equipment, shooting with handguns and /or suppressed weapons for onsite euthanization, (4) shooting with shotguns and non-toxic shot, (5) using the avicide DRC-1339 in and around areas where depredation has occurred by avian predators, and (6) destruction of the nests of predatory gulls.

Depending on the circumstances at any given time, the use of a particular method may have advantages and disadvantages. Therefore, these methods will be used in various combinations and degrees of intensity depending on local conditions and history of specific damage situations or other circumstances.

WS will deploy 1 to 2 Wildlife Biologists/Technicians (or more if deemed necessary) for 1 to 4 day intervals to be determined collaboratively between MEA and WS prior to and during the nesting season in 2016. The exact dates of these sessions are to be determined collaboratively between MEA and WS. Based on consultation with WS and past experience at this site, the minimum budget commitment for 2016 implementation will be \$11,000. For the purpose of determining mitigation we are requesting that MADFW and USFWS approve a 2016 budget and work plan of \$11,000. Predator species that may be removed include, but may not be limited to, red fox, gray fox, Eastern coyote, raccoon, striped skunk, mink, and Virginia opossum, American crow and fish crow. Activities will be

conducted on lands owned and managed by the Town of Plymouth and on private property where written authorization of the property owner may be obtained.

Financial Plan

The predator management program will be funded through two different sources. The Town of Plymouth will contribute \$3,200 to provide mitigation for the covered activities included in the Habitat Conservation Plan for Piping Plover Request for Certificate of Inclusion. The remaining costs of the program (\$7,800, see budget below) will be funded through the Natural Resources Damages Assessment (NRDA) Bouchard Plover Restoration Projects grant awarded for the 2016 season. A formal WS Scope of Work for the \$3,200 Town contract is attached to this COI request (Appendix C).

As of July 6, 2016, WS has contributed 181 man hours to the program and has conducted removal activities for red fox, Eastern coyote, American crow, raccoon, and herring gull. The estimated total for program activities this season, including administrative costs, is \$11,000. A general breakdown of the costs is included below. Pooled job costs include administrative costs for WS at the regional and headquarters level for services such as National Environmental Policy Act compliance and public relations. Indirect costs include administrative costs for the program such as contracting.

Estimated Plan Implementation Costs:

Personnel Costs	\$5,800.00
Travel	\$625.00
Vehicle Fuel	\$625.00
Supplies	\$700.00
Equipment	\$550.00
Services	\$350.00
Subtotal (Direct Costs)	\$8,650.00
Pooled Job Costs	\$950.00
Indirect Costs	\$1,400.00
Total Estimated Costs	\$11,000.00

Plan Implementation Funding:

Town of Plymouth Funds	\$3,200.00	(29%)
NRDA Bouchard Grant Funds	\$7,800.00	(71%)
Total Funding	\$11,000.00	(100%)

COOPERATIVE SERVICE AGREEMENT
BETWEEN
THE TOWN OF PLYMOUTH, MA
AND THE
UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE (APHIS)
WILDLIFE SERVICES (WS)

ARTICLE 1

The purpose of this agreement is to cooperate in a wildlife damage management project, as described in the Work Plan on the next page.

ARTICLE 2

APHIS WS has statutory authority under the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C.426-426b) as amended, and the Act of December 22, 1987 (101Stat. 1329-331, 7 U.S.C. 426c), to cooperate with States, local jurisdictions, individuals, public and private agencies, organizations, and institutions while conducting a program of wildlife services involving mammal and bird species that are reservoirs for zoonotic diseases, or animal species that are injurious and/or a nuisance to, among other things, agriculture, horticulture, forestry, animal husbandry, wildlife, and human health and safety.

ARTICLE 3

APHIS WS and the Town of Plymouth agree:

1. APHIS WS will provide the requested wildlife damage management services.
2. The Town of Plymouth will provide the U.S. Department of Agriculture the sum of \$3,200.00 to cover the costs as outlined in the Financial Plan. Payment will be made by check payable to "U.S. Department of Agriculture" by a mutually agreed upon date.
3. The Town of Plymouth ensures and certifies that it is not currently debarred or suspended and is free of delinquent Federal debt.
4. The monies received by APHIS WS will be used for wildlife damage management activities.
5. Nothing in this agreement shall prevent APHIS WS from entering into separate agreements with any other organization or individual for the purpose of providing wildlife damage management services exclusive of those provided for under this agreement.
6. The Town of Plymouth certifies that APHIS WS has advised the Town of Plymouth that there may be private sector service providers available to provide wildlife management services that the Town of Plymouth is seeking from APHIS WS.
7. The performance of wildlife damage management actions by APHIS WS under this agreement is contingent upon a determination by APHIS WS that such actions are in compliance with the National Environmental Policy Act, Endangered Species Act, and any other applicable federal statutes. APHIS WS will not make a final decision to conduct requested wildlife damage management actions until it has made the determination of such compliance.

ARTICLE 4

Pursuant to Section 22, Title 41, United States Code, no member of or delegate to Congress shall be admitted to any share or part of this Agreement or to any benefit to arise therefrom.

ARTICLE 5

APHIS assumes no liability for any actions or activities conducted under this Cooperative Service Agreement except to the extent that recourse or remedies are provided by Congress under the Federal Tort Claims Act (FTCA), (28 U.S.C. 1346(b), 2401(b), and 2671-2680).

ARTICLE 6

The Agreement shall become effective February 11, 2016 and shall continue in effect until the completion or termination of the project. This Agreement may be amended or terminated at any time by mutual agreement of the parties in writing. Further, in the event the Town of Plymouth does not provide necessary funds, APHIS WS is relieved of the obligation to provide services under this agreement.

Tax Identification Number: 046001271

Town of Plymouth
11 Lincoln Street
Plymouth, MA 02360

USDA-APHIS-Wildlife Service
463 West Street
Amherst, MA 01002

Cooperator's Signature

Date

State Director

Date

WORK PLAN

Wildlife Species: Red fox or other mammal species causing negative effects on shorebird reproduction.

Description of Damage: Predation of federally threatened piping plovers and other state threatened species and state species of special concern.

Location: Plymouth Long Beach, Plymouth, MA

Services Provided: WS will conduct up to four (4) control visits, day or night, to alleviate negative effects mammals are causing on shore bird reproduction using shooting and/or box traps.

FINANCIAL PLAN

Personnel Costs	\$1,462.00
Travel.....	\$300.00
Vehicle Fuel.....	\$200.00
Supplies.....	\$214.00
Equipment.....	\$240.00
Services	<u>\$101.00</u>
Subtotal (Direct Costs).....	\$2,517.00
Pooled Job Costs.....	\$277.00
Indirect Costs.....	<u>\$406.00</u>
TOTAL.....	\$3,200.00

The distribution of the budget from this Financial Plan may vary as necessary to accomplish the purpose of this agreement, but may not exceed \$3,200.00.

Financial Point of Contact

Town of Plymouth:

Kerin McCall
Environmental Technician

(508) 747-1620 x201
Phone

APHIS, WS:

Dawn Wanczyk
Budget Analyst

(413) 253-2403 x3
Phone



United States Department of the Interior

FISH AND WILDLIFE SERVICE



New England Field Office
70 Commercial St, Suite 300
Concord, NH 03301-5087
<http://www.fws.gov/newengland>

Subject: 2016 On-site Mitigation Plan
Town of Plymouth, Massachusetts

August 25, 2016

Jon Regosin
Natural Heritage & Endangered Species Program
Massachusetts Division of Fisheries & Wildlife
1 Rabbit Hill Road
Westborough, Massachusetts 01581

Dear Mr. Regosin:

The Town of Plymouth, Massachusetts applied to the Massachusetts Division of Fisheries and Wildlife (MADFW) to receive a certificate of inclusion (COI) and become a participant in MADFW's Habitat Conservation Plan for Piping Plover (HCP). As part of its application and obligations under the HCP, Plymouth prepared a mitigation plan for selective predator management on Plymouth Long Beach. According to sections 5.2.2.1 and 5.2.2.3 of the HCP, the U.S. Fish and Wildlife Service has the opportunity to review and approve site-specific mitigation plans prepared by HCP participants. We completed our review of the Plymouth plan, including the scope of work and cooperative service agreement between Plymouth and the U.S. Department of Agriculture's Animal and Plant Health Inspection Service for predator management, in light of the mitigation site selection and predator management plan criteria in Table 4-3 of the HCP, the eligibility criteria and requirements in HCP section 5.2.2.3, and other relevant sections of the HCP.

Although Plymouth requested take of two breeding pairs of piping plovers annually for their 3-year COI, only one pair would be exposed to take in 2016. Plymouth's proposed onsite mitigation will benefit slightly less than six pairs of piping plovers, just short of the six breeding pairs that would be required to offset the take requested in the COI ($[2.5 \text{ mitigation ratio} \times 2 \text{ breeding pairs}] + [0.5 \text{ adults} \times 2 \text{ breeding pairs}] = 6$). However, because only one pair will be exposed this year, we agree that the proposed mitigation will offset the proposed take exposure in 2016.

We determined Plymouth's plan meets the participant obligations and mitigation requirements for implementing the proposed covered activity (Use of Roads and Parking Lots in the Vicinity

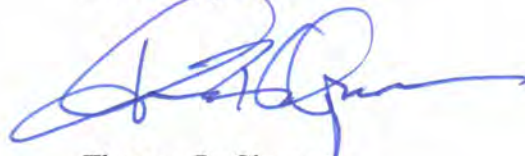
Jon Regosin
August 25, 2016

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of Unfledged Piping Plover Chicks) as specified in the HCP for the first, partial year of the plan's implementation. These obligations and requirements may be different in subsequent years. We also reviewed Plymouth's impact avoidance and minimization plan (IAMP) and agree that the IAMP is consistent with the HCP requirements for implementing the covered activities. Our determinations are valid only for 2016.

We look forward to continued cooperation with MADFW in the implementing of the HCP. If you have any questions regarding this letter, please contact Susi von Oettingen of this office at 603-227-6418 or at susi_vonoettingen@fws.gov.

Sincerely yours,



Thomas R. Chapman
Supervisor
New England Field Office



September 22, 2016

United States
Department of
Agriculture

Animal and
Plant Health
Inspection
Service

Wildlife Services
463 West Street
Amherst, MA
01002

T: 413-253-2403
F: 413-253-7577

Massachusetts Division of Fisheries and Wildlife
Field Headquarters
One Rabbit Hill Road
Westborough, MA 01581

Subject: Permit Report for Plymouth Beach Predators (permit # 074.16LP)

Date	Method(s) Used & Approximate Man Hours				Number of hours for crow work	Species Observed	Number Taken	Number Dispersed
	Push	Spot	Call	Trap				
2/19/16	28	0	0	0	0	n/a	0	0
3/25/16	0	0	0	0	16	n/a	0	0
3/30/16	24	0	0	0	4	Red fox	1	0
4/6/16	0	0	0	0	10	American crow	0	0
4/27/16	28	0	2	4	6	Red fox	2	1
4/28/16	0	0	0	4	3	American crow	3	0
4/29/16	0	0	0	7	0	n/a	0	0
5/5/16	5	0	0	0	0	n/a	0	0
5/12/16	0	7	0	0	4	Red fox / American crow	3 / 3	0
5/17/16	0	1	0	0	7	n/a	0	0
5/24/16	0	1	0	0	7	n/a	0	0
6/1/16	12	0	0	0	0	Herring gull	31 nests / 1 egg	0
6/23/16	12	0	0	0	0	Herring gull	16 nests/ 1 egg	0
8/4/16	0	0	0	0	10	n/a	0	0
Totals								
14 visits	109 hours	9 hours	2 hours	15 hours	67 hours	Red fox	6	1
						American crow	6	n/a

Push = Push/Walking
Call = Calling

Spot = Spotlight/FLIR (Forward Looking Infrared)
Trap = Trapping

WS used infrared remote cameras to monitor for predators from 2/19/16 through 6/23/2016. In 2016, an estimated 6 American crows were removed from Plymouth Long Beach using DRC-1339 COR. There were also 2 active herring gull nests removed containing 2 eggs. Gull nest removal activities were conducted under a valid USFWS depredation permit.

If you have any questions or concerns, please do not hesitate in contacting our office.

Thank You,

Erik S. Shaffer
Wildlife Specialist
USDA-APHIS-Wildlife Services
MA, CT, RI Program



Safeguarding American Agriculture

APHIS is an agency of USDA's Marketing and Regulatory Programs
An Equal Opportunity Provider and Employer

Federal Relay Service
(Voice/TTY/ASCII/Spanish)
1-800-877-8339



United States
Department of
Agriculture

Animal and
Plant Health
Inspection
Service

Wildlife
Services

463 West Street
Amherst, MA 01002
413-253-2403

BILL FOR COLLECTION

PAYER
Town of Plymouth 11 Lincoln Street Plymouth, MA 02360

Bill Number	BD722516150
Tax Exempt #	46001271
Agreement No.	1672259017RA
Billing Date	9/26/2016
Payment Due	10/15/2016

Dates of Service

Goods & Services Received & Approved for Payment	
FY of PO	FY17
PO #	—
Liquidate Y/N	—
Org#	26034276
Object #	520000
Vendor #	8916 #0
Amount \$	3200.00
Date	9/29/16
Prepared By:	K McCall

DESCRIPTION	AMOUNT
Provided up to (4) four visits at Plymouth Long Beach	

\$3,200.00

TOTAL DUE:	\$3,200.00
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ACCOUNT SUMMARY	
OTCS-7225	
Total	\$3,200.00

NEW INFORMATION ABOUT HOW TO PAY

Please remit payment within 30 days to
USDA, APHIS Wildlife Services
463 West Street
Amherst, MA 01002

PAYMENTS MUST INCLUDE A COPY OF THIS BILL.

Make checks payable to: USDA-APHIS Wildlife Services

To pay with a credit card (VISA, MasterCard, American Express, or Discover), please call the Accts. Receivable 413-253-2403

For questions concerning this bill, please contact:
Linda Vincelletto (413) 253-2403

In accordance with the Debt Collection Improvement Act of 1996, invoices issued by USDA-APHIS are due and payable within 30 days. Payments not received by the due date are subject to late payment charges assessed at the rate established by the Dept. of Treasury (31 USC 3717).

☐ Cooperator Copy

☐ Remittance Copy

☐ State Office Copy/Fax ART

Marilyn Byrne

From: David Gould
Sent: Tuesday, January 31, 2017 11:37 AM
To: Marilyn Byrne
Subject: Fwd: Proof of paymet to APHIS for 2016 predator control

Remind me to address this

Sent from my iPhone ~ ~

Begin forwarded message:

From: "Waterbirds, Coastal (FWE)" <coastal.waterbirds@state.ma.us>
Date: January 31, 2017 at 8:34:53 AM EST
To: Kerin McCall <KMcCall@townhall.plymouth.ma.us>
Cc: David Gould <DGould@townhall.plymouth.ma.us>
Subject: Proof of paymet to APHIS for 2016 predator control

Hi Kerin and David,

We are currently working on the HCP Final Report and must provide accounting of the cost of all mitigation implemented in 2016. Could you please provide proof of payment of the \$3,200 to APHIS in 2016? I think it would be prudent to attach this to your final reports that are submitted to DFW moving forward.

Thank you for your assistance on this!

Patricia Levasseur

Piping Plover HCP Implementation Assistance

Natural Heritage & Endangered Species Program

Massachusetts Division of Fisheries and Wildlife

1 Rabbit Hill Road, Westborough, MA 01581

p: (508) 389-6382 c: (508) 527-1164

