



United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

Animal Damage  
Control

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April 9, 1998

Jonathan Friedman  
U.S. Army Corps of Engineers  
Seattle District  
Federal Office Building, Suite 200  
909 First Avenue  
Seattle WA 98104-1000

Dear Mr. Friedman:

I represent the U.S. Department of Agriculture's - Wildlife Services program in Washington, Alaska, Hawaii, and the Pacific Islands. Our agency has a Memorandum of Understanding with the FAA to resolve wildlife hazards to aviation for the purpose of promoting safe air operations. This memorandum establishes that Wildlife Services has the expertise and will provide technical and operational assistance to alleviate wildlife hazards at airports. The primary statutory authority by which Wildlife Services operates is the Animal Damage Control Act of 1931, as amended (7 U.S.C. 426-426c; 46 Stat. 1468). Wildlife Services has the authority to manage migratory bird damage as specified in the Code of Federal Regulations. In addition, the Rural Development, Agriculture, and Related Agencies Appropriations Act of 1988 authorizes and directs the Secretary of Agriculture to cooperate with States, individuals, public and private agencies, organizations, and institutions in the control of nuisance mammals and birds deemed injurious to the public. As a consequence, the FAA has, and continues to rely on our expertise when addressing hazardous situations involving wildlife in and around airport environments.

Collisions between aircraft and wildlife are a concern throughout the world because they threaten passenger safety, and result in lost revenue and costly repairs to aircraft. In several instances, wildlife-aircraft collisions in the United States have resulted in human fatalities, the most recent of which occurred in 1995 when an Air Force AWACS aircraft (a modified Boeing 707) crashed after colliding with a flock of Canada geese on takeoff at Elmendorf Air Force Base, Alaska, killing all 24 crew members.

The FAA is responsible for setting and enforcing the Federal Aviation Regulations and policies at civilian airports for the purpose of enhancing public safety and preventing tragedies similar to that which occurred at Elmendorf. In Section 14 of the Code of Federal Regulations, Part 139.337, subparts (f) and (g) it states that "...each certificate holder shall take immediate measures to alleviate wildlife hazards whenever they are detected," and that "FAA Advisory



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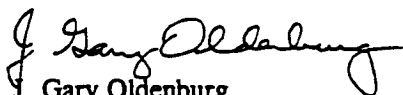
circulars in the 150 series contain standards and procedures for wildlife hazard management at airports which are acceptable to the Administrator.”

One such Advisory Circular, No. 5200-33, deals exclusively with hazardous wildlife attractants on or near airports. In this circular, the FAA recommends that airports serving turbine powered aircraft, including SeaTac Airport, maintain a minimum separation of 10,000 feet between the wildlife attractant and aircraft movement areas, loading ramps, and parking areas. Section 2-4, part (b) of this circular specifically addresses issues involving wetland mitigation resulting from new airport developments. In this section, the FAA recommends that mitigation projects which may attract hazardous wildlife should be sited outside of the 10,000-foot separation zone. Exceptions to the 10,000-foot separation may be considered if the wetlands provide a unique ecological function such as critical habitat for threatened or endangered species or ground water recharge. Enhancing such mitigation areas to attract hazardous wildlife should be avoided. The FAA also states that any wetland mitigation projects that must be sited within the critical separation zone due to unique wetland functions should be identified and evaluated by a wildlife damage management biologist before implementation.

As the primarily agency responsible for addressing issues related to wildlife damage, including hazards at airports, it is our position that wetland mitigation measures at SeaTac Airport should be conducted off-site. On-site mitigation would attract hazardous wildlife, particularly waterfowl, compromising air safety by increasing the probability of a damaging or fatal strike. Furthermore, if a new wetland is established on-site with vegetation and cover that is unattractive to wildlife, both the spirit and intent of the mitigation effort would be violated. We believe that an alternative site located outside the critical aircraft movement area will better serve the interests of both wildlife and the safety of passengers, pilots, and their crew members.

Thank you for considering our concerns regarding this matter.

Sincerely,



J. Gary Oldenburg  
State Director, WA/AK/HI/Pacific Islands

cc: Harold Handke, FAA  
Michael Linnell, WS

Encl: Advisory Circular 150/5200-33 - Hazardous Wildlife Attractants On or Near Airports  
Memorandum of Understanding Between FAA and USDA  
Statement From Pilots Association Before U.S. House Subcommittee on Aviation

AR 041626