

**Department of the Interior  
U.S. Fish and Wildlife Service**

**FINAL ENVIRONMENTAL ASSESSMENT**  
**For**  
**Evaluating the Feasibility of Hunting and Furbearer**  
**Trapping on the Mathy Tract**  
**Upper Mississippi River National Wildlife and Fish Refuge**  
**La Crosse District**

**Regional Director**  
**Region 3, U.S. Fish and Wildlife Service**  
**Bishop Henry Whipple Federal Building**  
**Twin Cities, MN 55111**

**March 2009**



# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Upper Mississippi River National Wildlife and Fish Refuge  
51 E. Fourth Street - Room 101  
Winona, Minnesota 55987

IN REPLY REFER TO:

March 13, 2009

To: Regional Director, Region 3  
Through: Regional Chief, National Wildlife Refuge System, Region 3  
From: Project Leader, Upper Mississippi River NW&FR  
Subject: Final Environmental Assessment and FONSI, Mathy Tract, La Crosse District

Enclosed please find for review, routing, and signature as needed the Environmental Action Statement, Finding of No Significant Impact, Final Environmental Assessment, and Section 7 Consultation completed as part of the evaluation on whether or not to allow hunting on the 75-acre Mathy Tract, La Crosse District. This tract was purchased for the purpose of the construction and use of a headquarters for the La Crosse District.

Based on a review of the Environmental Assessment and comments received, I have decided that permanently closing the tract to hunting and trapping, the preferred alternative, is the best course of action. The public agrees based on the comments received.

If you have any questions, please do not hesitate to contact myself or Mr. James Nissen La Crosse District Manager.

Concurrence:

Nita M. Zuh 3.24.2009      [Signature] 3/25/09  
Regional Chief      Date      ACTING Regional Director      Date

# ENVIRONMENTAL ACTION STATEMENT

Within the spirit and intent of the Council of Environmental Quality's regulations for implementing the National Environmental Policy Act (NEPA) and other statutes, orders, and policies that protect fish and wildlife resources, I have established the following administrative record and have determined that the action of (describe action):

*Permanently closing the 75.4-acre Mathy Tract, located on the Upper Mississippi River NW&FR-La Crosse District, to hunting and furbearer trapping. The tract was acquired in 2008 for the primary purpose as an administrative site for the La Crosse District's office and shop facilities.*

is a categorical exclusion as provided by 516 DM 6, Appendix 1 and 516 DM 2, Appendix 1. No further documentation will therefore be made.

is found not to have significant environmental effects as determined by the attached Environmental Assessment and Finding of No Significant Impact.

is covered under an existing Environmental Assessment entitled \_\_\_\_\_ as described in sub-section \_\_\_\_\_ which was approved on \_\_\_\_\_

is found to have significant effects, and therefore further consideration of this action will require a notice of intent to be published in the Federal Register announcing the decision to prepare an EIS.

is not approved because of unacceptable environmental damage, or violation of Fish and Wildlife Service mandates, policy, regulations, or procedures.

is an emergency action within the context of 40 CFR 1506.11. Only those actions necessary to control the immediate impacts of the emergency will be taken. Other related actions remain subject to NEPA review.

Other supporting documents (list)

Environmental Assessment and FONSI

Public comments

Section 7 Form

Compatibility Determination

Wentz 3/13/09  
(1) Initiator Date

Tom Winters 3/23/09  
Acting (2) RHPO Date

Steve M. Felt 3-24-2009  
(3) ARD Date

Charles M. Wosley 3/25/09  
(4) RD Acting Regional Director Date

**Facility:** Upper Mississippi River National Wildlife and Fish Refuge-La Crosse District  
**Title:** Environmental Assessment for Evaluating the Feasibility of Hunting and Furbearer Trapping on the Mathy Tract, dated March 2009

**FINDING OF NO SIGNIFICANT IMPACT**

For the reasons presented below and based on an evaluation of the information contained in the supporting references, I have determined that

Permanently closing the 75.4-acre Mathy Tract, located on the La Crosse District of the Upper Mississippi River NW&FR, to hunting and furbearer trapping,

is not a major Federal action that would significantly affect the quality of the human environment within the meaning of Section 102(2)(c) of the National Environmental Policy Act of 1969. An Environmental Impact Statement will, accordingly, not be prepared.

**Reasons:**

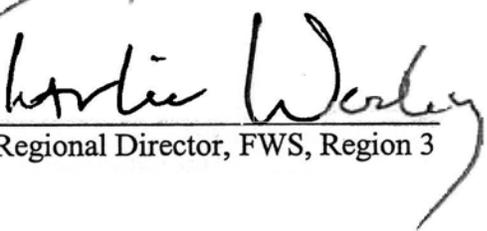
The Mathy Tract was acquired for the primary purpose as an administrative site for the Upper Mississippi River NW&FR's La Crosse District office and shop facilities.

The tract will be restored to sand prairie that will benefit grassland nesting birds. After restoration, walking trails and interpretative signing are planned, which will enhance opportunities for wildlife observation and photography, and interpretation and environmental education.

The prohibition on hunting and furbearer trapping is made for public safety, employee safety after the administrative facilities are developed, and to reduce potential user group conflicts between those engaged in hunting and visitors using the tract for other wildlife-dependant recreation.

**Supporting References**

1. Environmental Assessment

  
ACTING Regional Director, FWS, Region 3      3/25/09  
Date

Distribution:  
Wash., DC (OEC)  
State Clearinghouse

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## **1. Purpose and Need for Action**

### **1.1 Purpose**

In August 2008, the U.S. Fish and Wildlife Service (Service) acquired from Mathy Construction Company (Mathy) a 75.4-acre tract of upland located on Brice Prairie in T. 17N, R. 8W, Section 24, Town of Onalaska, La Crosse County, Wisconsin (Figure 1). This tract is being managed by the Service as part of the Upper Mississippi River National Wildlife and Fish Refuge (Refuge).

The purpose of this environmental assessment is to evaluate the feasibility of making permanent the temporary closure of the 75.4-acre Mathy Tract to hunting and furbearer trapping. This assessment will also convey information to the public and provide a basis for public review and comment.

### **1.2 Need**

With the addition of the Mathy Tract to the Refuge, the Service needs to decide whether the tract will be open to hunting and furbearer trapping in accordance with Refuge and State regulations governing these uses. This decision needs to weigh the practicality of hunting and furbearer trapping in an area that is increasing in residential development, the planned use of the tract for administrative purposes, and the desire to offer various forms of wildlife-dependant recreation.

Hunting and furbearer trapping on the Mathy Tract poses public safety issues and concerns for a number of reasons. The tract is relatively small, isolated from other public lands, and surrounded by a mixture of open space currently in agriculture, a well-used county highway (Z), and nearby residential/industrial development. The tract boundary on the east partially surrounds several homes, and a subdivision is located in the southwest corner. The ATK industrial complex, formerly known as “Outers,” or “Blount Inc.” is located to the south. Future residential development along the boundaries is likely. The potential also exists for conflicts between hunting and trapping on land that will be used as an administrative site (La Crosse District office and shop facilities) and for interpretation, environmental education, wildlife observation, and wildlife photography.

### **1.3 Decisions that Need to be Made**

The Refuge Manager will review the analysis of the two alternatives described in this assessment and the comments received during the 30 day public-comment period. Based on this review, the Refuge Manager will select an alternative to be implemented. The Regional Director, U.S. Fish and Wildlife Service, Region 3, will concur with the Refuge Manager’s selection of one of two alternatives analyzed in detail and will determine, based on the facts and recommendations contained herein, whether this Environmental Assessment (EA) is adequate to support a Finding of No Significant Impact (FONSI) decision, or whether an Environmental Impact Statement (EIS) will need to be prepared

## 1.4 Background

### **The Refuge:**

Congress passed the Upper Mississippi River Wild Life and Fish Refuge Act on June 7, 1924. The act authorized the acquisition of land for a Refuge between Rock Island, Illinois and Wabasha, Minnesota. The 1924 act set forth the purposes of the Refuge as follows:

- “...as a refuge and breeding place for migratory birds included in the terms of the convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and
- to such extent as the Secretary of Agriculture<sup>1</sup> may by regulations prescribe, as a refuge and breeding place for other wild birds, game animals, fur-bearing animals, and for the conservation of wild flowers and aquatic plants, and
- to such extent as the Secretary of Commerce<sup>1</sup> may by regulations prescribe as a refuge and breeding place for fish and other aquatic animal life.”

*<sup>1</sup>Changed to Secretary of the Interior pursuant to reorganization and transfer of functions in 1939 (16 USC 721-723).*

The National Wildlife Refuge System Improvement Act of 1997 amended the National Wildlife Refuge System Administration Act of 1966 and became a true organic act for the System by providing a mission, policy direction, and management standards. The Act directed the Secretary of Interior to recognize compatible wildlife-dependant recreational uses as the priority general public uses of the System, ensured that opportunities for compatible wildlife-dependant recreation are provided, and ensured that wildlife-dependant recreation received enhanced consideration over other uses. The six priority public uses of the System are: hunting, fishing, wildlife observation and photography, and environmental education and interpretation.

### **The Mathy Tract:**

The Mathy Tract was acquired for the primary purpose as an administrative site for the Refuge’s La Crosse District office and shop facilities. The need to construct a new office and maintenance shop was identified in the Refuge’s Comprehensive Conservation Plan (CCP) in Objective 6.1, Office and Shop Facilities (U.S. Fish and Wildlife Service 2006). An administrative building would be constructed, large enough to accommodate offices, a small visitor center, a classroom/meeting room, and storage. A shop building with an adjoining wareyard would comprise the maintenance facility. These facilities would likely be located near the intersection of County Road Z and ZN. No timetable has been set for construction. The next step in the process is to develop a site plan for the entire tract that identifies where the buildings, parking lot, and access road would be located, along with other features.

The tract is also suitable for the following secondary uses, also addressed in the CCP:

- Sand prairie restoration to benefit grassland nesting birds (Objective 3.10, Grassland Management, Strategy #2).
- Develop opportunities for wildlife observation and photography (Objective 4.10) and interpretation and environmental education (Objective 4.11). Acquisition and enhancing opportunities for these activities meets a number of strategies listed under each of these objectives.

In the near term, the land, now in agriculture, will be restored to sand prairie. Sand prairie is a dry native grassland community dominated by grasses such as little bluestem and panic grasses, several sedges, and forbs, including western ragweed, round-headed bush-clover, western sunflower, stiff goldenrod, and spiderwort. Prairie restoration would begin with plan development in 2009, followed by implementation in 2010-2011.

After restoration, walking trails and interpretative signing are planned. In the future, this tract may be connected to the Great River State Trail (bike trail) and the Lake Onalaska shoreline by a trail system.

The Mathy Tract has a recent history of agriculture use, including pasture for bison. A high woven-wire “bison” fence currently encloses three sides of the tract. For the past three years, most acres have been planted to alfalfa and harvested for hay.

For the past several years, the tract has been leased to a neighbor for agriculture use. Under the current lease, which expires in late January 2009, no hunting was permitted. Because the Service assumed the terms of this lease, no hunting or furbearer trapping was permitted in fall 2008.

### **Hunting and Trapping in the Surrounding Area:**

Brice Prairie is located in Wisconsin Department of Natural Resources (DNR) Deer Management Unit 59D. Deer may be taken with rifles, handguns, shotguns, muzzleloaders, and archery equipment in this unit.

Small game as defined by the Wisconsin DNR include small game mammals (squirrels and cottontail rabbits), game birds (pheasants and bobwhite quail), migratory game birds (mourning dove and Canada geese), furbearing animals (raccoons, fox, and coyote), and unprotected species. With certain exceptions, it is legal to hunt small game mammals, furbearing animals, and unprotected species with a rifle. It is not legal to hunt game birds or migratory game birds with a rifle.

The Onalaska Town Board adopted a “Firearms/Discharging of Weapons Ordinance” on November 30, 2007. The purpose of the ordinance was to “promote the safety, health and General welfare by regulating the use of weapons in the Town of Onalaska” and included the following pertinent sections:

- A. All “firearms” and “bow and arrows” are to be discharged in a safe and responsible manner as outlined in Wisconsin Statutes.
- B. No person shall shoot, discharge any rifle, shotgun, pistol or other firearm, or any air, spring, or pellet gun or similar device; or shoot, release or discharge any chemically activated rocket or missile at any of the following places:
  - 1. Within 100 yards of a building devoted to human occupancy while on lands you do not own (including public lands) without permission of the owner of the building.
  - 2. Across or within 50’ of the centerline of any federal, state, county, or town highway, road or street.
- C. No person shall shoot, release or discharge any missile or arrow from any bow or crossbow at any of the following places:
  - 1. Across or within 50’ of the centerline of any federal, state, county, or town highway, road or street.

Hunting remains an important and popular form of wildlife-dependant recreation on the Refuge. Hunting is one of the priority public uses of the National Wildlife Refuge System, and remains a vital part of the cultural, social, and economic fabric of the communities along the Refuge, including Brice Prairie. About 78% of the Refuge’s 240,000 acres are currently open to hunting.

Furbearer trapping has a long history on the Refuge and can be an important management tool in reducing furbearer disease and habitat impacts, and in safeguarding certain Refuge infrastructure. Trapping is also an important from a recreational and cultural standpoint, providing hundreds of trappers thousands of hours of wildlife-related and outdoor- dependant enjoyment.

New lands acquired are generally open to hunting, furbearer trapping, and other uses. Since 1987, approximately 6,930 acres have been acquired and added to the Refuge and nearly all opened for hunting and furbearer trapping. In 2005, 2,000 acres of the former Savanna Army Depot (Pool 13) were opened to hunting. In the La Crosse District (Pools 7 and 8), all but 145 acres of about 1,350 acquired since 1988 have been opened to hunting; furbearer trapping is permitted on the 145 acres after the duck hunting season ends each fall. An additional 664 acres were acquired in the La Crosse District along the Root River in Houston County, MN in February 2009. Except for a potential safety zone around buildings, most of these acres will be open to hunting and furbearer trapping.

## **2. Alternatives, Including the Proposed Action**

### **2.1 Alternatives not Considered for Detailed Analysis**

#### **Single-projectile Firearms Hunting:**

Given the proximity of occupied homes on the east side (<40 yards) and southwest boundaries (<150 yards), the ATK industrial complex located to the south (<325 yards), and County Trunk Highway Z, discharging rifles, muzzleloaders, handguns, and shotguns loaded with slugs on this tract was not considered for additional analysis due to public safety concerns. These concerns eliminate the use of this tract for firearms deer hunting and the hunting of furbearing animals.

### **Bows, Arrows, and Crossbows:**

Hunting deer and small game with bows or crossbows was not considered for additional analysis. Deer habitat on the tract is currently limited and is expected to remain limited after facilities are constructed and the remaining acres are restored to sand prairie. Moreover, this tract is isolated from existing deer habitat and surrounded by a mixture of open space currently in agriculture and nearby residential/industrial development. Therefore, hunting opportunities will be limited. Lastly, the desire to offer various forms of non-consumptive wildlife-dependant recreation such as interpretation and environmental education will conflict with archery hunting.

### **Furbearer Trapping:**

Furbearer trapping was not considered for additional analysis for the following reasons: The small size of the tract, lack of wetland habitat, and restoration of the site to sand prairie habitat will limit furbearer use and thus trapping opportunities; the planned use of the tract for administrative purposes; and the desire to offer various forms of non-consumptive wildlife-dependant recreation such as interpretation and environmental education which will conflict with trapping.

## **2.2 Alternatives Carried Forward and Analyzed**

### **2.2.1 Alternative A (Proposed Action - No Action)**

The 75.4-acre tract is currently closed to hunting in accordance with an existing farm lease that expires January 30, 2009, and furbearer trapping. Under this alternative, the tract would remain closed to all hunting and furbearer trapping and would be designated an administrative “No Hunting or Trapping Zone.” This designation is made for public safety, employee safety after the administrative site is developed, and to reduce potential user group conflicts between those engaged in hunting and visitors using the tract for the other wildlife-dependant recreational activities. Opportunities for wildlife observation, photography, interpretation, and environmental education would be pursued.

### **2.2.2 Alternative B (Limited Hunting)**

Under this alternative, the tract would be open to hunting with a shotgun loaded with shotshells only in accordance with federal, state, and local regulations with the most restrictive regulation applying on the Refuge. Legal species would include small game mammals, game birds, and migratory game birds as defined by Wisconsin DNR rules, consistent with season dates established by the Wisconsin DNR. Hunting or possession of firearms would be prohibited between March 16 and August 31 each year, except that wild turkeys could be hunted during the

Wisconsin spring turkey seasons. Hunters would only be able to use or possess approved non-toxic shotshells. Opportunities for wildlife observation, photography, interpretation, and environmental education would be pursued.

### **3. Affected Environment**

#### **3.1 Physical Characteristics**

The Refuge encompasses one of the largest blocks of floodplain habitat in the lower 48 states. Bordered by steep wooded bluffs that rise 100 to 600 feet above the river valley, the Mississippi River corridor and Refuge offer scenic beauty, a wild character, and productive fish and wildlife habitat unmatched in mid-America. The Refuge covers approximately 240,000 acres and extends 261 river miles from north to south at the confluence of the Chippewa River in Wisconsin to near Rock Island, Illinois.

More than 300 species of birds, 51 species of mammals, 42 species of freshwater mussels, 119 species of fish, 31 species of reptiles, and 14 species of amphibians have been recorded on the Refuge.

The 75.4-acre Mathy Tract has a recent history of agriculture use, including pasture for bison. A high woven-wire “bison” fence currently encloses three sides of the tract. For the past three years, most acres have been planted to alfalfa and harvested for hay. The tract is also isolated from other public lands, and is surrounded by a mixture of open space currently in agriculture, a well-used county highway (Z), and nearby residential/industrial development. Future residential development along the boundaries is likely.

#### **3.2 Biological Environment**

##### **3.2.1 Habitat/Vegetation**

About 46,680 acres of the Refuge total are located in the La Crosse District and include about 28,245 acres of open water, 18,095 acres of wetlands, and 340 acres of upland.

For the past three years, most of the Mathy Tract has been planted to alfalfa and harvested for hay and provides minimal habitat for wildlife. The intent is to construct office and shop facilities on this tract and convert the remaining acres from agriculture to sand prairie.

Sand prairie is a dry native grassland community dominated by grasses such as little bluestem and panic grasses, several sedges, and forbs, including western ragweed, round-headed bush-clover, western sunflower, stiff goldenrod, and spiderwort. In western Wisconsin, extensive acreages of sand prairie occurred historically on broad sand terraces bordering the Mississippi and Black Rivers (Wisconsin DNR 2005). Brice Prairie is located on such a terrace.

Restoring sand prairie on the Mathy Tract will benefit some grassland nesting birds. However, grassland restorations targeted toward supporting populations of the most area-

sensitive grassland birds should be at least 125 acres or larger (Kost 2004). Among the species requiring large acreages of grassland (>100 acres) include bobolink, grasshopper sparrow, and eastern and western meadowlarks. Grasslands less than 50 acres will benefit the least area-sensitive grassland birds such as northern bobwhite quail, Vesper sparrow, song sparrow, dickcissel, and common yellowthroat. Nesting blue-winged teal are also “significantly associated” with sand prairies (Wisconsin DNR 2005).

### **3.2.2 Listed, Proposed, and Candidate Species**

No federally listed threatened or endangered species, or candidate species, are known to use the Mathy Tract. Bald eagles, delisted in 2007, may occasionally use the tract during migration. The nearest active bald eagle nest is located about two miles away.

### **3.2.3 Other Wildlife Species**

With most acres seeded to alfalfa and harvested through the growing season for hay, use of the tract by migratory birds is limited to a few species, such as Canada geese, sandhill cranes, and mourning doves for feeding. Some duck nesting may also occur, but cutting the alfalfa every 3-4 weeks likely limits their nesting success and that of other ground nesting birds. Small mammals, such as mice and voles, and reptiles, such as garter snakes, are likely to occur here.

Lake Onalaska is located in proximity to the Mathy Tract. This major backwater includes open water, interior islands, barrier island complexes with associated marsh, and flowing channels that convey water from the main channel into the lake. The arrangement of habitat types supports large concentrations of waterfowl, including diving and puddle ducks, swans, and geese, and a variety of other birds, reptiles, amphibians, and mammals such as otter, beaver, mink, and muskrats. Lake Onalaska also supports one of the premier panfish fisheries on the Upper Mississippi River.

Halfway Creek Marsh is located east of the tract and also provides habitat for a wide variety of species including raptors, migrating and nesting waterbirds and Neotropical migrants, reptiles and amphibians, and mammals.

## **3.3 Land Use**

Brice Prairie is characterized by agricultural land use and residential development, surrounded by wetlands privately-owned or part of the Refuge. Agriculture consists largely of corn, soybean, and alfalfa production, with some livestock pasture. Brice Prairie, along with the rest of the Town of Onalaska, experienced significant growth and development over the past 50 years, with accelerated growth rates occurring between 1960-1980 (Schreiber/Anderson Associates, Inc. 2005). Residential growth is expected to continue.

## **3.4 Cultural Resources**

The Brice Prairie region contains numerous cultural resources indicating continual human occupation extending over approximately the past 12,000 years. Cultural resources are located

across Brice Prairie, a Holocene-age low terrace formed by glacial outwash, and on islands and other elevated areas (e.g., natural levees) within the Mississippi River floodplain.

### **3.5 Local Socioeconomic Conditions**

Brice Prairie is located in the Town of Onalaska. The Town is located next to two of the fastest growing municipalities in the region, the City of Onalaska and the Village of Holmen. As a result, the Town is also experiencing considerable development pressure and population growth (Schreiber/Anderson Associates, Inc. 2005).

Lake Onalaska is a popular destination for sport anglers, hunters, sailors and boaters, and for observing wildlife. Mosey's Landing and the Upper Brice Prairie Boat Landing provide access from Brice Prairie to the popular Lake Onalaska. The landings receive nearly year-round use. The 24-mile long Great River State Trail (bike trail) passes through Onalaska and Trempealeau, Wisconsin and is located in proximity to Brice Prairie.

The financial impact of the Mississippi River and Refuge is substantial. The Mississippi River annually contributes an estimated \$1 billion in recreational benefits to the region. Refuge visitation generates nearly \$90 million per year in economic output. Further, visitation to the Refuge plus visits to adjacent counties generates \$255 million.

Restoring sand prairie on the Mathy Tract and developing a trail system through the prairie, complete with interpretative signs, is expected to draw visitors to observe and photograph wildlife. Other visitors may be attracted to the solitude offered by the trail system. In time, this site is expected to receive considerable use by local school groups and others for organized environmental education events.

The Refuge receives about 3.7 million annual visits for the six priority public uses as well as other recreational uses such as camping, recreational boating, picnicking, swimming, and other uses not dependant on the presence of fish and wildlife. In FY2008 (October 1, 2007 through September 30, 2008), the La Crosse District received an estimated 880,220 visits for the following activities:

- 400,000 visits for non-wildlife dependant recreation
- 244,995 visits for wildlife observation
- 195,000 visits for fishing
- 22,000 visits for waterfowl hunting
- 8,215 visits for interpretation
- 5,500 visits for wildlife photography
- 3,650 visits for big game, upland game, and other migratory bird hunting
- 860 visits for environmental education

## **4. Environmental Consequences**

This chapter describes the foreseeable environmental consequences of implementing the two management alternatives identified in Chapter 2.

## **4.1 Effects Common to All Alternatives**

### **4.1.1 Environmental Justice**

Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” was signed by President Bill Clinton on February 11, 1994.

This executive order focuses federal attention on the environmental and human health conditions of minority and low-income populations with the goal of achieving environmental protection for all communities. The executive order directs federal agencies to develop environmental justice strategies to aid in identifying and addressing disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority and low-income populations. The executive order is also intended to promote non-discrimination in federal programs substantially affecting human health and the environment, and to provide minority and low-income communities access to public information and participation in matters relating to human health or the environment.

This environmental assessment has not identified any adverse or beneficial effects for either alternative unique to minority or low-income populations in the affected area. Neither alternative will disproportionately place any adverse environmental, economic, social, nor health impacts on minority or low-income populations.

### **4.1.2 Listed, Proposed, and Candidate Species**

No current federally listed threatened/endangered/candidate species are known to use the Mathy Tract. As a result, neither alternative will directly or indirectly affect (neither negatively nor beneficially) individuals of listed/proposed/candidate species or designated/proposed critical habitat of such species.

### **4.1.3 Irretrievable and Irreversible Commitment of Resources**

Alternative A would not involve any additional commitment of resources. Alternatives A and B would require a certain level of facilities such as a parking lot for access and signing to facilitate recreation. Funding to construct these facilities would be modest but are considered irretrievable once spent. Any habitat loss due to parking lot construction is minimal and would not be irreversible.

### **4.1.4 Short-term Uses and Long-term Productivity**

Construction of parking facilities, future trails, signing, and other features will entail disturbance to wildlife and plants. However, these impacts are site-specific and of short duration and more than offset by increasing the long-term productivity of the entire tract through habitat restoration. Neither Alternative A nor B is expected to measurably affect

the long-term productivity of the tract given the low impact of foot traffic associated with wildlife-dependant recreation.

#### **4.1.5 Unavoidable Adverse Effects**

Since Alternatives A and B both feature modest facilities in support of various forms of recreation, there will be unavoidable short-term impacts to both habitat and wildlife, and long-term habitat change from the footprint of parking lot or other facilities. These effects are mitigated to some extent by the use of best management practices and precautions that safeguard surrounding habitat and the control of the timing and means of use (e.g., no motorized vehicles), and are more than offset by habitat restoration on the entire tract.

Both alternatives, to varying degree, will have adverse impacts to a certain segment of the public that does not favor one or either of the alternatives and will thus be disappointed with the decision. This social impact is unavoidable given the diversity of public desires and the need to meet agency needs and the capability of a small land tract in a developed landscape. These effects are mitigated to a large extent by the abundant recreational opportunities available on nearby Refuge lands and waters.

#### **4.2 Alternative A (Proposed Action – No Action)**

##### **4.2.1 Habitat and Biological Impacts**

Most of the tract's 75.4 acres are expected to remain in alfalfa in 2009 followed by restoration to sand prairie beginning in 2010. Successfully restoring this tract may require several years of active management, including mowing/haying, herbicide application, and prescribed burning. After restoration, these same management actions would be required on a periodic basis.

With most acres planted to alfalfa, Canada geese and sandhill cranes use the tract for feeding in late summer and fall. After sand prairie restoration, nesting habitat for grassland nesting birds, including song sparrow, dickcissel, and northern bobwhite quail, should increase. Mourning dove abundance may increase, at least temporarily, particularly if mowing is used as a post-seeding management tool. As the restoration matures, the sand prairie should be used by cottontail rabbits, white-tailed deer, and furbearing animals. Wildlife use of the tract will ultimately be influenced by what happens on neighboring land. The expectation is that much of the land currently in agriculture will be converted to residential use in the future. Due to the relatively small size of the tract, wildlife populations are expected to remain modest.

While no hunting would be permitted, enhancing opportunities for wildlife observation, photography, interpretation, and environmental education would be pursued. Disturbance to wildlife, such as the flushing of feeding, resting, or nesting birds, can occur with these activities. However, the disturbance is generally temporary and localized. Increased facilities and visitation would cause displacement of habitat and increase some

disturbance to wildlife. Motorized vehicles would be limited to designated roads and parking lots.

#### **4.2.2 Cultural Resources**

Cultural resources would not be affected under this alternative.

#### **4.2.3 Refuge Facilities**

Facilities are needed for this alternative and include: Access road and parking lot, visitor center, signing, and trails. These facilities would cause some displacement of habitat and increase disturbance to wildlife. Minimizing disturbance to wildlife and displacement of habitat will be considered as plans are developed for the design and location of the various facilities. Maintenance of these facilities is also required and the frequency of specific actions would range from routine (trail mowing) to annual (inspecting signs). Disturbance associated with these maintenance activities is expected to be temporary and localized.

#### **4.2.4 Public Health and Safety**

Under this alternative, no hunting would be permitted, thereby negating safety concerns to residents in homes located along/near the tract boundary. Moreover, implementing the no action alternative also addresses future safety concerns to visitors using the proposed trail system, Refuge facilities, and new residential development expected to be located along the boundary. Potential conflicts between user groups would also be minimized.

#### **4.2.5 Socioeconomic Impacts**

After full development, the Mathy Tract is expected to become a destination for both local residents and those traveling through the Upper Mississippi River Valley. Achieving this goal will take time and will be done incrementally. Tasks required before this happens include: Sand prairie restoration, facility and infrastructure construction, and linking the tract to the bike trail and to an overlook along the Lake Onalaska shoreline. The completion of each task is expected to increase the number of visitors using the Refuge and the total number of visits. This site will appeal to organized events for interpretation and environmental education. The local economy is expected to benefit from this increased visitation.

The Refuge may have to hire or detail-in extra staff after development to accommodate the increased visitation.

The opportunity to hunt or trap on Refuge land is not diminished by maintaining the closure of these 75.4 acres. Almost 68% of the La Crosse District's current land base, nearly 31,600 acres, is open to hunting during the duck hunting season. After the duck hunting season ends, the acreage open to hunting (no migratory bird hunting) increases to about 97% of the La Crosse District's land base, nearly 45,470 acres. Further, after the

end of the duck hunting season each fall, most Refuge acres are open to furbearer trapping.

#### **4.2.6 Cumulative Impacts**

Given the relatively small size of the tract and the expected low visitation for non-consumptive uses, cumulative impacts under this alternative are expected to be inconsequential. Restoration of the tract to sand prairie should complement other grassland restorations in the region and have a small, but positive impact on overall grassland bird populations. Use of the tract for recreation will add another opportunity for the public to experience the outdoors, and when combined with other Refuge, school, and non-profit organization efforts, will help promote conservation awareness and appreciation.

### **4.3 Alternative B (Limited Hunting)**

#### **4.3.1 Habitat and Biological Impacts**

Most of the tract's 75.4 acres are expected to remain in alfalfa in 2009 followed by restoration to sand prairie beginning in 2010. Successfully restoring this tract may require several years of active management, including mowing/haying, herbicide application, and prescribed burning. After restoration, these same management actions would be required on a periodic basis.

With most acres planted to alfalfa, Canada geese and sandhill cranes use the tract for feeding in late summer and fall. After sand prairie restoration, nesting habitat for grassland nesting birds, including song sparrow, dickcissel, and northern bobwhite quail, should increase. Mourning dove abundance may increase, at least temporarily, particularly if mowing is used as a post-seeding management tool. As the restoration matures, use by cottontail rabbits, white-tailed deer, and furbearing animals should increase. Wildlife use of the tract will ultimately be influenced by what happens on neighboring land. The expectation is that much of the land currently in agriculture will be converted to residential use in the future. Due to the relatively small size of the tract, wildlife populations are expected to remain modest.

Although hunting causes mortality to wildlife, season dates and bag limits are set with the long-term health of populations in mind. Disturbance to non-hunted wildlife is expected as a result of hunting activity. The response to disturbance is likely to vary and may range from relocating to another part of the tract (songbirds) to completely leaving the area (feeding sandhill cranes). All motorized vehicle use would be restricted to designated roads, trails, and parking areas which reduces disturbance to wildlife. Disturbance to habitat would be minimal given the nature of this hunting and restriction of vehicle use. Hunting or possession of firearms would be prohibited from March 16 through August 31, except for spring wild turkey hunting seasons. Only the use or possession of approved non-toxic shotshells would be permitted.

### **4.3.2 Cultural Resources**

Cultural resources are not expected to be affected by this alternative. Soil disturbing activities, such as digging a pit blind for goose hunting, would not be permitted.

### **4.3.3 Refuge Facilities**

Facilities are needed for this alternative and include: Access road and parking lot, visitor center, signing, and trails. Additional signing may be needed to identify areas off-limits to hunting, including a buffer around the perimeter of the tract in proximity to developed areas. These facilities would cause some displacement of habitat and increase disturbance to wildlife. Minimizing disturbance to wildlife and displacement of habitat will be considered as plans are developed for the design and location of the various facilities. Maintenance of these facilities is also required and the frequency of specific actions would range from routine (trail mowing) to annual (inspecting signs). Disturbance associated with these maintenance activities is expected to be temporary and localized.

### **4.3.4 Public Health and Safety**

Opening the tract to hunting raises safety concerns. Public hunting would begin September 1 and continue through mid-March or possibly beyond with spring wild turkey hunting seasons. During the six-plus months that hunting would be permitted, the non-hunting public might be reluctant to visit the tract for fear of guns being fired in their vicinity, including groups visiting for environmental education activities. To safely accommodate hunting, zoning may be required or a reduction in the length of the overall hunting season.

The tract's huntable acres, now limited on the east next to the residential development due to the Town of Onalaska's firearms discharge regulation, would continue to decrease after Refuge facilities are constructed. Future residential development along the tract boundary would also reduce the acres open to hunting. Once a trail system is constructed, further reductions in the acreage open to hunting are likely.

### **4.3.5 Socioeconomic Impacts**

The tract is relatively small in size and located in an area with nearby residential and industrial development, and is isolated from the standpoint of huntable habitat and other public lands. Therefore, hunting may be more attractive for those living in the local area and only during certain seasons. Under the current land use, goose hunting during the early season (September 1-15) is in demand. During the conversion to sand prairie, early fall mourning dove habitat may be enhanced and hunting opportunities increase, although this habitat stage could be short-lived. After restoration, mourning dove, game bird, and cottontail rabbit populations are expected to be low with few hunting opportunities. Opportunities for hunting on the tract are expected to be limited.

Given the size of the tract and limited hunting opportunity available, most hunter visits will likely be derived from hunters residing in the local area. The local economy would benefit little from this activity for the following reasons: It would not be a destination area like the other nearby Refuge areas; and, it would not add appreciably to hunter visitation, which drives economic value.

The Refuge may have to hire or detail-in extra staff to manage the hunting program, including law enforcement officers.

#### 4.3.6 Cumulative Impacts

Expected cumulative impacts in this alternative are the same as Alternative A except that the taking of wildlife by sport hunting would have a minor impact to local game populations. However, the amount of harvest would be small given the size of the tract and expected populations of game animals, and thus not have any measurable cumulative impact on Refuge-wide or regional game populations.

#### 4.4 Summary of Consequences by Alternative

A summary table providing the cumulative consequences of the two alternatives is provided below. The preferred alternative combines the best benefits with the least amount of adverse effects.

<b>Consequences</b>	<b>Alternative A</b>	<b>Alternative B</b>
Habitat & Biological Impacts	Minor disturbance to wildlife and plants	Impacts to hunted species; minor disturbance to non-hunted wildlife and plants
Cultural Resources	Not affected	No affect, with regulation governing pit blinds
Refuge Facilities	Required	Required
Public Health & Safety	Minimal concerns	Elevated concerns, especially along tract boundary
Socioeconomic Impacts	Greater potential to benefit local economy; regional attraction with full development	6+ months of hunting each year has the potential to limit other priority uses; most visitors from local area
Refuge Staff	Additional staff needed, emphasis on visitor services	Additional staff needed, including law enforcement
Public Use	Year-round emphasis on “returning people to nature”	Non-hunters mixed with hunters for 6+ months each year
User Group Conflicts	Not Likely	Likely – between groups of hunters and between hunters and non-hunters

## **5. List of Preparers**

This Environmental Assessment was prepared by staff of the La Crosse District of the Refuge and reviewed by Refuge Manager Don Hultman, Assistant Manager Rick Frietsche, and Wildlife Biologist Eric Nelson. Gary Muehlenhardt, located in the U.S. Fish and Wildlife Service's Region 3 Regional Office, also contributed to the preparation of this document.

## **6. Consultation and Coordination with the Public and Others**

The general public was made aware of this draft environmental assessment, along with an invitation to provide comments, through the following means:

- Copies of the document were made available for public review at the Town of Onalaska in Midway, WI and at the La Crosse District Office.
- The document was also available on the Refuge's website at: <http://www.fws.gov/midwest/UpperMississippiRiver/>
- A news release was issued January 13, 2009. In response, at least one local newspaper (Onalaska-Holmen Courier-Life) printed the release (January 16) and on January 19 the La Crosse District Manager was interviewed on WIZM Radio.
- The news release was sent electronically to nearly 100 citizens, La Crosse-based congressional offices, and agency staff.
- Neighbors bordering the Mathy Tract were mailed copies of the draft environmental assessment on January 14 along with an invitation to comment.

Written comments were accepted for 30 days, through February 18, 2009.

## **7. Public Comment on the Draft Environmental Assessment and Service Response**

A total of 14 written comments were received from individuals, families, an organization, and a local unit of government. These comments are the focus of this chapter. Written comments received during the comment period came in the form of letters and e-mails.

Comments and responses are aligned with the alternative they supported. Comments of a more general nature are grouped under "other." Responses follow each comment. The number in parentheses following each comment represents the number of people, organization, and unit of government who provided a similar comment.

### **Alternative A (Proposed Action – No Action):**

Comment: Favor adoption of Alternative A under which the tract would remain closed to all hunting and furbearer trapping and would be designated an administrative "No Hunting or Trapping Zone" (9). The No Action Alternative was favored for the following reasons:

- Tract location is in close proximity to existing commercial property and existing/potential residential areas (6)
- Ensures a measure of safety to Refuge visitors and staff (4)
- Reduces potential conflicts with other recreational and educational opportunities (4)
- Hunting would conflict with the purpose of the property (2)
- Tract remaining closed to hunting and trapping would not result in net loss of Refuge land for these activities because of previous closure (2)
- Eliminates the significant workload required to accommodate public hunting on such a small area with the proposed educational and administrative developments. This added workload would detract from the resources available to manage the Refuge (1).

*Response: We concur as reflected in the preferred alternative.*

### **Alternative B (Limited Hunting):**

Comment: Support implementing Alternative B to provide hunting opportunities on public lands (1).

*Response: Comment is noted.*

Comment: Favor adopting Alternative B but with a provision of furbearer hunting and trapping under Wisconsin DNR and USFWS trapping and permit systems, then re-evaluated after buildings are constructed (2).

*Response: Comment favoring Alternative B is noted. Opening the Mathy Tract to furbearer hunting and trapping, whether or not buildings are present, was not an alternative considered for further analysis in this environmental assessment (see page 8) for the following reasons: The small size of the tract, lack of wetland habitat which would support the most popular furbearers, and restoration of the site to sand prairie habitat will limit furbearer use and thus trapping opportunities; the planned use of the tract for administrative purposes; and the desire to offer various forms of non-consumptive wildlife-dependant recreation such as interpretation and environmental education which may conflict with trapping.*

Comment: Trapping, primarily of species that prey upon ground nesting and other birds, is well within the parameters of sound management and provision of other recreational opportunities on this tract (1).

*Response: See the preceding response concerning opening the Mathy Tract to furbearer hunting and trapping. Reductions in populations of nest predators such as raccoon, fox, and skunk under a regular public trapping program have limited positive impact on nesting birds. The degree to which predator management, through a public trapping program, benefits migratory bird production can vary widely depending on the timing of the removal of predators, size of the habitat block, habitat isolation (for example, islands), and adjacent land use (U.S. Fish and Wildlife Service 2007).*

## Other Comments:

Comment: Identify any significant cultural resource sites on the tract, protect these sites, and use this information when developing environmental, historical, and cultural education programs.

*Response: We are required by law to identify and protect cultural resource sites located on federal land before undertaking any ground-disturbing development. We concur with your comment on incorporating historical and cultural resource information into future environmental education programs.*

Comment: Suggest keeping the option open for FWS staff or contractors to control nuisance wildlife such as skunks, coyotes, and raccoons if problems are encountered to facilities or adjacent properties (1) and keep the option open for special hunts if deer are found to jeopardize the sand prairie restoration (1).

*Response: Although difficult to imagine now given the current land use on and immediately surrounding the Mathy Tract, this same landscape undoubtedly will look much different in the future. To effectively reduce populations of nuisance wildlife may require a focused effort outside of a public hunting or trapping program. Implementing such a program, regardless if FWS staff, contractors, or the public are the control agents, is always an option for managers in coordination with the Wisconsin DNR and the public.*

Comment: The likelihood that wildlife wounded from hunting on adjacent private land being pursued on the Mathy Tract should be addressed.

*Response: An existing Refuge-specific regulation would apply in this situation. Retrieving dead or wounded game birds from the "No Hunting or Trapping Zone" designated on the Mathy Tract would be allowed provided the hunter does not take a loaded gun onto the tract and does not attempt to chase birds or other wildlife from the area.*

Comment: Opportunities may exist to provide additional habitats during sand prairie restoration for grassland birds and state endangered and threatened plants. Restoration and management of the Mathy Tract would supplement tracts such as the Holland Sand Prairie and natural areas and remnants along the nearby railroad (1)

*Response: We concur. The Mississippi Valley Conservancy manages the 61-acre Holland Sand Prairie and the 310 acres of grassland known as the New Amsterdam Grasslands. Both units are located within about five miles of the Mathy Tract. Other grasslands located in proximity to the Mathy Tract are located on the Upper Halfway Creek Marsh Project and along the Great River State Trail (bike trail). Each of these grasslands requires periodic disturbance (prescribed burning, grazing, brush cutting, or haying) to maintain suitable habitat for both grassland birds and native prairie plants.*

Comment: The writer was pleased that songbirds and songbird habitat will benefit from sand prairie restoration on the Mathy Tract and suggested that Henslow's sparrows may be one species that benefits (1).

*Response: As noted in the preceding response, restoration of the tract to sand prairie should complement other grassland restorations in the area and have a small, but positive impact on overall grassland bird populations. Each grassland bird species has a particular range of habitat conditions to which it is well-suited. Because grassland bird habitat requirements are diverse, management designed to benefit one or a few species will not adequately accommodate the needs of other species. For Henslow's sparrows, grasslands which provide breeding habitat are characterized by tall, dense grass with a well-developed litter layer and a relatively high coverage of standing dead vegetation (Herkert 2003). Studies have been inconclusive concerning the amount of woody vegetation that will be tolerated, but extensive woody invasion preclude use by Henslow's sparrows. Management recommendations identify the need to provide about  $\geq 75$  acres of contiguous grassland, but if a large block of suitable is not available, a complex of smaller units located near enough to one another may also attract nesting Henslow's sparrows. Of note, periodic disturbance of the grassland is required to maintain suitable habitat for Henslow's sparrows, but disturbance reduces habitat available for one or two breeding seasons. It will be interesting to watch and see if the Mathy Tract restoration develops into future nesting habitat for Henslow's sparrows. Monitoring grassland bird response to the restoration project will make a good volunteer project.*

## References

- Herkert, J. R. 2003. Effects of management practices on grassland birds: Henslow's Sparrow. Northern Prairie Wildlife Research Center, Jamestown, ND. Northern Prairie Wildlife Research Center Online. <http://www.npwrc.usgs.gov/resource/literat/grasbird/hesp/hesp.htm> (Version 12DEC2003).
- Kost, M. A. 2004. Natural community abstract for dry sand prairie. Michigan Natural Features Inventory. Lansing, MI. 9 pp.
- Schreiber/Anderson Associates, Inc. 2005. Town of Onalaska Comprehensive Plan, 2005-2025, Volume 1 and 2 (Adopted May 26, 2005).
- U.S. Fish and Wildlife Service. 2006. Final Environmental Impact Statement (EIS) and Comprehensive Conservation Plan (CCP), Upper Mississippi River National Wildlife and Fish Refuge. Regional Director, Fort Snelling, Twin Cities, MN.
- U.S. Fish and Wildlife Service. 2007. Furbearer Management Plan and Environmental Assessment, Upper Mississippi River National Wildlife and Fish Refuge. Winona, MN.
- Wisconsin Department of Natural Resources. 2005. Wisconsin's Strategy for Wildlife Species of Greatest Conservation Need. Madison, WI.



U.S. Fish & Wildlife Service

# Upper Mississippi River National Wildlife & Fish Refuge

La Crosse County, Wisconsin

Figure 1. Mathy Construction Co. Tract (L-456b) and Surrounding Area



Map Created 12/29/08  
 Project Saved as D:\gisdata\pool17  
 bruce.prairie@fwiservice.com\mathytract  
 Base Map is 2008 Aerial Photography

**Intra-Service Section 7 Biological Evaluation Form  
Region 3**

Originating Person: Don Hultman, Refuge Mgr Telephone Number: 507/494-6218

Date Submitted: March 13, 2009

For assistance with section 7 reviews, go to Region 3's Section 7 Technical Assistance website  
<http://www.fws.gov/midwest/endangered/section7/s7process/>

**I. Service Program and Geographic Area or Station Name:** Upper Mississippi River National Wildlife and Fish Refuge, La Crosse District

**II. Location:** Mathy Tract on Brice Prairie

**III. Species/Critical Habitat:** List federally-listed, proposed, and candidate species or designated or proposed critical habitat that may occur within the action area. :

None

**IV. Project Description:** Describe proposed project or action, including all conservation elements. If referencing other documents, prepare an executive summary. Include map and photos of site, if possible. (Attach additional pages as needed):

Keeping the Mathy Tract of land closed to hunting and trapping as described in the Final Environmental Assessment.

**V. Determination of Effects**

**A. Description of Effects** Describe how the action(s) will affect the species and critical habitats listed in item III. Your rationale for the Section 7 determinations made below (in VB.) should be fully described here.

No listed species are present and thus there are no effects. Other environmental effects are described in the Final Environmental Assessment.

**B. Determination:** Determine the anticipated effects of the proposed project on species and critical habitats listed in item III. Check all applicable boxes and list the species (or attach a list) associated with each determination. **For assistance with making appropriate Section 7 determinations, go to Region 3's Section 7 Technical Assistance website: <http://www.fws.gov/midwest/angered/section7/s7process/>**

Mark all  
that apply

**XXX No Effect:** This determination is appropriate when the proposed project will not directly or indirectly affect (neither negatively nor beneficially) individuals of listed/proposed/candidate species or designated/proposed critical habitat of such species. **No concurrence from ESFO required.**

X

List species/critical habitat: None

**May Affect but Not Likely to Adversely Affect:** This determination is appropriate when the proposed project is likely to cause insignificant, discountable, or wholly beneficial effects to individuals and designated critical habitat. Concurrence from ESFO required.

List species/critical habitat:

**May Affect and Likely to Adversely Affect:** This determination is appropriate when the proposed project is likely to adversely impact individuals of listed species or designated critical habitat of such species. Concurrence from ESFO required.

List species/critical habitat:

**Not Likely to Jeopardize candidate or proposed species/critical habitat:** This determination is appropriate when the proposed project is not expected to jeopardize the continued existence of a species proposed for listing or a candidate species, or adversely modify an area proposed for designation as critical habitat. Concurrence from ESFO required.

List species/critical habitat:

**Likely to Jeopardize candidate or proposed species/critical habitat:** This determination is appropriate when the proposed project is reasonably expected to jeopardize the continued existence of a species proposed for listing or a candidate species, or adversely modify an area proposed for designation as critical habitat. Concurrence from ESFO required.

List species/critical habitat:

Signature *Alan Kulturek, Refuge Mgr. Supervisor*

Date  
*3/13/09*