

## FWS ENVIRONMENTAL ACTION STATEMENT SCREENING FORM FOR SAFE HARBOR AGREEMENTS

### I. Project Information

**A. Project name:** Safe Harbor Agreement for the Re-introduction of the Amargosa Vole (*Microtus californicus scirpensis*), in Shoshone, California

**B. Affected Species:** Amargosa Vole (*Microtus californicus scirpensis*)

**C. Project Size (in acres):** 467 acres

**D. Brief project description including conservation elements of the plan:**

The historical range of the federally endangered Amargosa vole is confined to an approximately 10-mile stretch of wetland habitat near the communities of Shoshone and Tecopa in southeastern Inyo County, California. The current range of the Amargosa vole is confined to 36 marshes in the Lower Amargosa River Valley in the vicinity of Tecopa Hot Springs and the northern end of the Amargosa Canyon. The purpose of this safe harbor agreement (SHA) is to promote the conservation and recovery of the Amargosa vole through the translocation and re-introduction of the subspecies to suitable habitat on lands owned and managed by Susan Sorrells (Landowner), and to restore and maintain habitat for the subspecies on Landowner lands. The Service anticipates that implementation of these activities will produce the following net conservation benefits to the Amargosa vole:

- Re-establish Amargosa vole populations at the northern extent of the subspecies' range, in its historical type locality;
- Provide areas where suitable habitat for the Amargosa vole will be maintained, protected, and remain relatively undisturbed;
- Increase population redundancy within the subspecies' range; and
- Reduce the potential for local extirpation and extinction due to stochastic events (e.g., wildfire, disease) within the subspecies' limited existing occupied habitat.

The properties subject to this SHA (Enrolled Property) consist of two parcels owned by the Landowner: 1) APN 046-120-26 (220 acres) and 2) APN 046-120-25 (247 acres), totaling 467 acres. While the agreement covers the entire 467 acres, management activities (including translocation and re-introduction of Amargosa voles) will only occur in approximately 0.5 acres of marsh habitat within the Enrolled Property where restoration activities have previously been implemented by the Landowner to return the habitat to its natural condition (Core Area). The Core Area is surrounded by the broader 467-acre Enrolled Property where other management activities may be implemented and incidental take coverage will be provided, but where minimal suitable habitat for Amargosa voles currently exists. The Core Area will be mostly restricted to human access, except for activities relating to habitat restoration and vole translocation and monitoring. Within the broader Enrolled Property human access will continue to be permitted for recreational activities on approved trails and in other areas (e.g., hiking, horseback riding,

bicycling, camping, and picnicking activities). Re-introduction activities are expected to continue in the Core Area for 10 years or longer until a sustainable population of Amargosa voles is established. Monitoring for habitat suitability and for Amargosa vole presence will be conducted annually for 5 years from the initiation of re-introduction activities and at a minimum of every 5 years thereafter, as determined necessary and feasible by the Landowner and the Service. Trapping surveys for population monitoring of Amargosa voles in the Core Area will be conducted as needed for evaluating and managing the establishment of a new population.

**II. Does the SHA fit the criteria as described in the SHA policy? *Each response should include an explanation.***

Yes, the SHA follows the Service's Safe Harbor Agreement final policy and regulations. The SHA is expected to provide a net conservation benefit to the Amargosa vole and enhance recovery of the species through implementation of the management actions described in the project description above. Restoration of habitat will allow for the establishment of native plant species, and will potentially expand the amount of available habitat for the Amargosa vole. Active restoration efforts in the Core Area have and will continue to include control and eradication of cattail growth, outplanting of Olney's three-square bulrush, and monitoring of spring dynamics considered influential to maintaining viable Amargosa vole habitat (e.g., water availability, soil moisture, vegetation cover, bulrush density, bulrush litter cover). There are currently no Amargosa voles in the Core Area, but once individuals are translocated from Tecopa source marshes and establish a population in the Core Area the net conservation benefit for Amargosa vole would be realized.

**A. Are the effects of the SHA less than significant on the rangewide population of federally listed, proposed, or candidate species or other wildlife and their habitats covered under the SHA?**

Yes, effects of the SHA on the Amargosa vole will be less than significant. If Amargosa voles establish a population on the Enrolled Property in the future, their numbers would represent a small proportion of the rangewide population. The current geographic range of the Amargosa vole spans approximately 247 acres of isolated marsh patches in the Lower Amargosa River Valley. The 0.5-acre Core Area into which Amargosa voles will be translocated represents a very minor proportion of their overall geographic range. There are no other federally listed, proposed, or candidate species of wildlife covered under the SHA. Management activities related to maintaining habitat for the Shoshone pupfish are expected to have a net beneficial effect for the species. Management activities related to restoring and maintaining marsh habitat in the core area are expected to provide high quality habitat and have net beneficial effects for various species of endemic and migratory birds.

**B. Are the effects of the SHA minor or negligible on other environmental values or resources (e.g. air quality, geology and soils, water quality and quantity, socio-economic, cultural resources, recreation, visual resources, etc.)?**

Yes, the effects of implementing the SHA are expected to be minor or negligible on other environmental values or resources. Effects on air quality, geology and soils, water quality and quantity are expected to be negligible or minor because habitat restoration and other management activities will occur at very small scales, and generally will provide ecological benefits such as removal of invasive species and improvements to water quality and availability. Effects on socioeconomic, historic and cultural, recreational, and visual resources are expected to be negligible or minor because management activities will be of low intensity, short duration, and occur at small scales. Management activities may have beneficial effects on recreational resources, including wildlife viewing opportunities, walking trails, and interpretive signs in the Enrolled Property adjacent to the Core Area.

**C. Would the impacts of this SHA, considered together with the impacts of other past, present and reasonably foreseeable similarly situated projects not result, over time, in cumulative effects to environmental values or resources which would be considered significant?** *The same concept is also included in the exception to categorical exclusions, III. F. below.*

No significant cumulative effects are expected to occur as a result of implementing the SHA and issuing the enhancement of survival permit. Management activities will occur at a small scale and low intensity, and will be focused in a small area. For these reasons, any minor effects resulting from implementing the SHA will not accumulate into significant effects at the local or regional scale. Potentially returning the Property to the baseline condition would not result in a cumulative effect to any of the resources considered in this assessment.

**III. Do any of the exceptions to categorical exclusions apply to this SHA? (from 516 DM 2.3, Appendix 2)** *If the answer is “yes” to any of the questions below, the project cannot be categorically excluded from NEPA. Each “no” response should include an explanation.*

None of the exceptions to categorical exclusions apply to this SHA.

**Would implementation of the SHA:**

**A. Have significant adverse effects on public health or safety?**

No adverse effects to public health and safety are anticipated. The Core Area will be restricted to most human access and management activities in the broader Enrolled Property are intended to enhance the recreational experience for visitors (e.g., walking trails, interpretive educational events) and maintain public health and safety (e.g., trash removal and wildfire fuels management).

**B. Have significant adverse effects on such unique geographic characteristics as historic or cultural resources, park, recreation or refuge lands, wilderness areas, wild or**

**scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks?**

No; there are no known historic or cultural resources, parks, recreation or refuge lands, wilderness areas, wild or scenic rivers, registered National Landmarks, or prime farmlands known to occur on the Enrolled Property. Shoshone Spring in the Enrolled Property consists of multiple individual springs and provides the domestic water supply for the town of Shoshone. Water from these springs is used to irrigate the Core Area, and for both potable and non-potable purposes in the broader Enrolled Property. In addition to domestic use, water outflow from the springs supports a spring brook, riparian vegetation, and six or more stream pools that were constructed to provide habitat for the Shoshone pupfish (*Cyprinodon nevadensis Shoshone*). Management activities will involve ongoing restoration to the springs and are expected to have beneficial effects on the resource.

**C. Have highly controversial environmental effects?**

No; given the relatively small size of the project area, minor, negligible, or no impacts to the resources present will occur. There are no controversial environmental effects associated with this SHA.

**D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?**

No; the Management Activities are routine and common for the Enrolled Property and broader area and have been occurring prior to the development of this SHA. These activities have not previously resulted in significant adverse environmental effects and none are anticipated. Therefore, approval of the SHA will not have highly uncertain or potentially significant environmental effects or involve unique or unknown environmental risks.

**E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?**

No; future actions will be reviewed on their own merits for meeting requirements under the Endangered Species Act, its implementing regulations, and other laws. Effects from implementing the SHA are expected to be beneficial, but may potentially result in temporary minor or negligible adverse environmental effects. This SHA is based on site-specific circumstances and does not affect decisions regarding future actions.

**F. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects?**

No; approval and implementation of the SHA is not directly related to other actions with significant cumulative environmental effects.

**G. Have significant adverse effects on properties listed or eligible for listing on the National Register of Historic Places?**

No; there are no parcels on the Property that are listed or known to be eligible for listing according to the National Register of Historic Places database (<https://www.nps.gov/subjects/nationalregister/database-research.htm>, accessed April 14, 2020). Enrollment under the SHA will not affect the Property from eligibility for listing on the National Register of Historic Places.

**H. Have significant adverse effects on listed or proposed species, or have significant adverse effects on designated Critical Habitat for these species? *In making this determination, actions undertaken by the applicant to avoid “take” are not considered mitigation.***

The Service has completed an intra-agency Section 7 consultation and determined that the authorized incidental take under this SHA is not likely to jeopardize the continued existence of Amargosa voles in the wild. Management activities will have beneficial effects to the Amargosa vole by restoring marsh habitat and by re-introducing individuals to historical habitat. No designated critical habitat will be affected because there is no Amargosa vole critical habitat on the Enrolled Property.

Ongoing Management Activities, such as habitat restoration and translocation of Amargosa voles to the Core Area, and post-translocation monitoring could impact the species if individuals begin to inhabit the Core Area or Enrolled Property at some time in the future. However, the SHA conservation measures will result in a net conservation benefit for Amargosa voles by managing threats and improving habitat. We have determined that no significant adverse impacts to the Amargosa vole would result from the issuance of the permit or implementation of this SHA.

**I. Have significant adverse effects on wetlands, floodplains or be considered a water development project thus requiring compliance with either Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act?**

No; potential effects from implementing this SHA will not have any significant adverse effects on wetlands or floodplains. The SHA is not a water development project.

**J. Threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment?**

A condition of the permit is that the SHA must be carried out in accordance with all applicable Federal, State, or local laws.

#### **IV. ENVIRONMENTAL ACTION STATEMENT**

Based on the analysis above, the Enrolled Property meets the qualifications for Safe Harbor Agreement whose implementation represents a class of actions which do not individually or cumulatively have a significant effect on the human environment. Therefore, this action is categorically excluded from further NEPA documentation as provided by 516 DM 2, Appendix 1 and 516 DM 6, Appendix 1.

Other supporting documents (list): Safe Harbor Agreement

Concurrence:

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Date