

# **Environmental Assessment for Leadville National Fish Hatchery Access to Hunting and Fishing Opportunities**

**Date: May 2019**

This Environmental Assessment (EA) is being prepared to evaluate the effects associated with this proposed action and complies with the National Environmental Policy Act (NEPA) in accordance with Council on Environmental Quality regulations (40 CFR 1500-1509) and Department of the Interior (43 CFR 46; 516 DM 8) and U.S. Fish and Wildlife Service (550 FW 3) regulations and policies. NEPA requires examination of the effects of proposed actions on the natural and human environment.

## **Proposed Action**

The U.S. Fish and Wildlife Service (Service) is proposing to formalize hunting and fishing opportunities for all legal species on Leadville National Fish Hatchery (Leadville NFH or Hatchery) in accordance with the State of Colorado hunting and fishing regulations and the Hatchery's hunting and fishing plans. The Hatchery resides on 3,072 acres in Lake County, Colorado, Township 9S, Range 81W, Section 36.

This proposed action is often iterative and evolves over time during the process as the agency refines its proposal and learns more from the public, tribes, and other agencies. Therefore, the final proposed action may be different from the original. The final decision on the proposed action will be made at the conclusion of the public comment period for the EA.

## **Background**

The Leadville NFH resides on 3,072 acres in Lake County, Colorado (Figure 1). The Hatchery was created by Executive Order of President Benjamin Harrison in 1889 for the purpose of restoring depleted stocks of trout in the Upper Arkansas Region of Colorado, the Black hills of South Dakota, and Nebraska. By 1909, fish and eggs were being sent to east and west coast states, France, Japan, and South America. As other Federal fish hatcheries were established, stocking from Leadville NFH focused primarily on waters in Colorado and surrounding states, with a major emphasis on tribal and military waters. (EA August 2000). At that time the main water supply for the Hatchery was from Rock Creek. To protect the Hatchery's water supply, most of the Rock Creek drainage was included in the 3,072 acre Hatchery land base. Leadville NFH is the second oldest federally operated fish hatchery in existence today and is one of the oldest surviving tangible examples of the historic legacy upon which the Service was first established. The main Hatchery building was completed in 1890, but fish were already being produced in 1889. (Rosenlund and Rosenlund, 1989).



Figure 1: Location of Leadville National Fish Hatchery

The Mt. Massive Wilderness Area was designated by the Colorado Wilderness Act of 1980 (Public Law 96-560, 99 Stat. 3265) on December 22, 1980. The Mt. Massive Wilderness Area encompasses 30,540 acres, with over 90% (27,980 acres) located in the San Isabel National Forest (USFS), while 2,560 acres are located in the Leadville National Fish Hatchery (managed by the Service). This portion of the Mt. Massive Wilderness Area is the only area in the National Wilderness Preservation System that is located in a National Fish Hatchery.

As per a cooperative agreement between the Bureau of Reclamation and the Service dated November 13, 1981, the Leadville NFH began producing up to 50,000 pounds of trout annually for stocking FryingPan-Arkansas Project waters. The Bureau of Reclamation constructed a conduit capable of delivering 3,000 gallons of water per minute from the Turquoise reservoir to the Leadville NFH to facilitate the mitigation program. With this new commitment for fish, the Tribal program was shifted to other hatcheries.

Leadville NFH raises, currently: 1) Greenback cutthroat trout, federally listed as Threatened, for reintroduction into native streams; 2) rainbow trout to meet mitigation agreements; and 3) Wyoming Toad, federally listed as Endangered, for reintroduction into native aquatic ecosystems.

National fish hatchery areas are maintained for the fundamental purpose of the propagation and distribution of fish and other aquatic animal life and managed for the protection of all species of wildlife (50 CFR Ch.1 70.1)

It is a priority of the Service to provide for wildlife-dependent recreation opportunities, including hunting and fishing, when those opportunities are compatible with the purposes for which the hatchery was established and the mission of the U.S. Fish and Wildlife Service.

Access by the public to Rock Creek for fishing on the Hatchery property would continue following the rules and regulations set forth by Colorado Parks and Wildlife. Access by the public for hunting on Hatchery property would be no less than 100 yards from any occupied building or parking lot and would continue following the rules and regulations set forth by Colorado Parks and Wildlife.

### **Purpose and Need for the Proposed Action**

The purpose of this proposed action is to provide compatible wildlife-dependent recreational opportunities, including hunting and fishing, on Leadville NFH.

The need of the proposed action is to meet the Service's priorities and mandates as outlined by the Secretary of the Department of Interior to "recognize compatible wildlife-dependent recreational uses as the priority general uses of the Federal Lands" and "ensure that opportunities are provided within the" National Fish Hatchery System "for compatible wildlife-dependent recreational uses."

The objectives of hunting and fishing programs at the Leadville NFH are to provide:

- The public with a recreational opportunity to experience fishing on public Hatchery land and increase opportunities for anglers, especially for youth and families
- The public with a recreational opportunity to experience hunting on public Hatchery land and increase opportunities for hunters, especially for youth and families

### **Alternatives Considered**

#### **Alternative A – Open the Hatchery to hunting and fishing in accordance with State of Colorado Hunting and Fishing Seasons and Regulations (Proposed Action Alternative)**

##### **Fishing**

The Hatchery has prepared a fishing plan (Appendix 2), which is presented in this document as part of the Proposed Action Alternative.

Fishing is already allowed on the Hatchery at Rock Creek and its tributaries and lakes upstream of Rock Creek dam. Fishing is allowed on other areas of the Hatchery grounds during special events such as National Fishing and Boating Week, derbies and clinics for youth groups, handicapped, elderly veterans, etc. by Special Use Permit only. All species allowed for take under State of Colorado Fishing Regulations would be allowed to be taken from Rock Creek and other Special Use permitted areas designated in the Leadville NFH Fishing Plan.

## **Hunting**

The Hatchery has prepared a hunt plan (Appendix 3), which is presented in this document as part of the Proposed Action Alternative.

All Hatchery land would be open to hunting in accordance with State of Colorado hunting regulations, with the exception of a 100-yard distance from an occupied building or parking lot for discharging a firearm. Where allowed, hunting on the Hatchery land follows the season dates and bag limits outlined in the state of Colorado regulations. This consistency with the state helps reduce confusion when hunters participate in hunting activities on Service lands. The Service does not allow baiting on any Service lands, so baiting would not be allowed on the Hatchery. All species outlined in the State of Colorado hunting regulation would be allowed to be hunted on Hatchery land.

## **Mitigation Measures to Avoid Conflicts**

The Service would continually monitor for conflicts and evaluate mitigation measures that may be necessary to solve or to minimize conflicts between users. For example, conflicts could occur between hikers, birdwatchers, anglers and hunters. Currently, minimal conflicts occur amongst the diverse users, and this action should not change the situation significantly.

Implementation of this alternative will meet the Service's priorities and mandates as outlined by the Secretary of the Department of Interior to "recognize compatible wildlife-dependent recreational uses as the priority general uses of the Federal Lands and "ensure that opportunities are provided within the National Fish Hatchery system for compatible wildlife-dependent recreation, including hunting.

Hunting and all associated program activities proposed in the Hunt Plan are compatible with the purpose of the Hatchery as outlined in the (50 CFR Ch.1 71.1) "Opening of National Fish Hatchery Areas to Hunting: National fish hatchery areas may be opened to hunting wildlife when such activity is not detrimental to the propagation and distribution of fish or other aquatic wildlife."

Fishing and all associated program activities proposed in the Fish Plan are compatible with the purpose of the Hatchery as outlined in the (50 CFR Ch.1 71.11) "Opening of National Fish Hatchery Areas to Fishing: National fish hatchery areas may be opened to sport fishing when such activity is not detrimental to the propagation and distribution of fish or other aquatic animal life."

## **Alternative B –Hatchery closed to hunting and fishing - No hunting or fishing permitted on Hatchery property:**

No action would be taken by the Service to open additional Hatchery lands to public use. This alternative would effectively close all Hatchery lands to the public for hunting and fishing.

Under the no hunting and fishing action alternative, the Service would operate the Hatchery as usual, however hunting and fishing would not be allowed on Hatchery property.

### **Affected Environment**

The proposed action is located on the entire Hatchery lands (See Figure 2), which consists of 3,072 acres. Leadville National Fish Hatchery is located in the Rocky Mountains of Colorado approximately six miles southwest of the City of Leadville. Elevation ranges from 9,600 feet on the Hatchery proper to over 13,000 feet on the Rock Creek drainage of Mt. Massive. Typical Rocky Mountain subalpine forest vegetation of lodgepole pine and aspen make up 90 percent of the hatchery property vegetation. The Hatchery property contains over 12 miles of hiking trails (Figure 3) and connects to other trails, such as the Colorado Trail, located within the Mt. Massive Wilderness Area. Most of the Hatchery property is bordered on three sides by federal land managed by the U.S. Forest Service (USFS).

The climate of Leadville, CO is typical for high alpine altitude. Rain fall is 16 inches a year and snow fall averages 156 inches a year. Average summer high is 71 degrees and the average winter low is 5 degrees. On average there are 247 sunny days in Leadville.

The Hatchery is located 6.4 miles from the town of Leadville, CO. The Leadville, CO Chamber of Commerce lists the Hatchery as one of the area's main attractions. The town had a population of 2,759 in 2017 with a median age of 39.3. The population has increased 6% since the 2010 census. The median household income according to Data USA (DataUSA, 2017) is \$41,444. The median property value in Leadville, CO is \$241,200, which is 0.66 times higher than the national average of \$205,000. Between 2017 and 2018 the median property value increased 10.6%. Data USA reports the economy of Leadville, CO employs 1,636 people. The economy is specialized in Mining, Quarrying, Oil, Gas Extraction; Arts, Entertainment, Recreation; and Construction, which employ, respectively, 5.34; 3.29; and 2.99 times more people than what would be expected in a location of this size.

The Hatchery is open year-round and receives approximately 50,000 visitors a year, mostly during the summer months. The facility is a major attraction for visitors to the town of Leadville and is considered to provide a significant contribution to the local economy.

Tables 1-5 provide additional, brief descriptions of each resource affected by the proposed action.

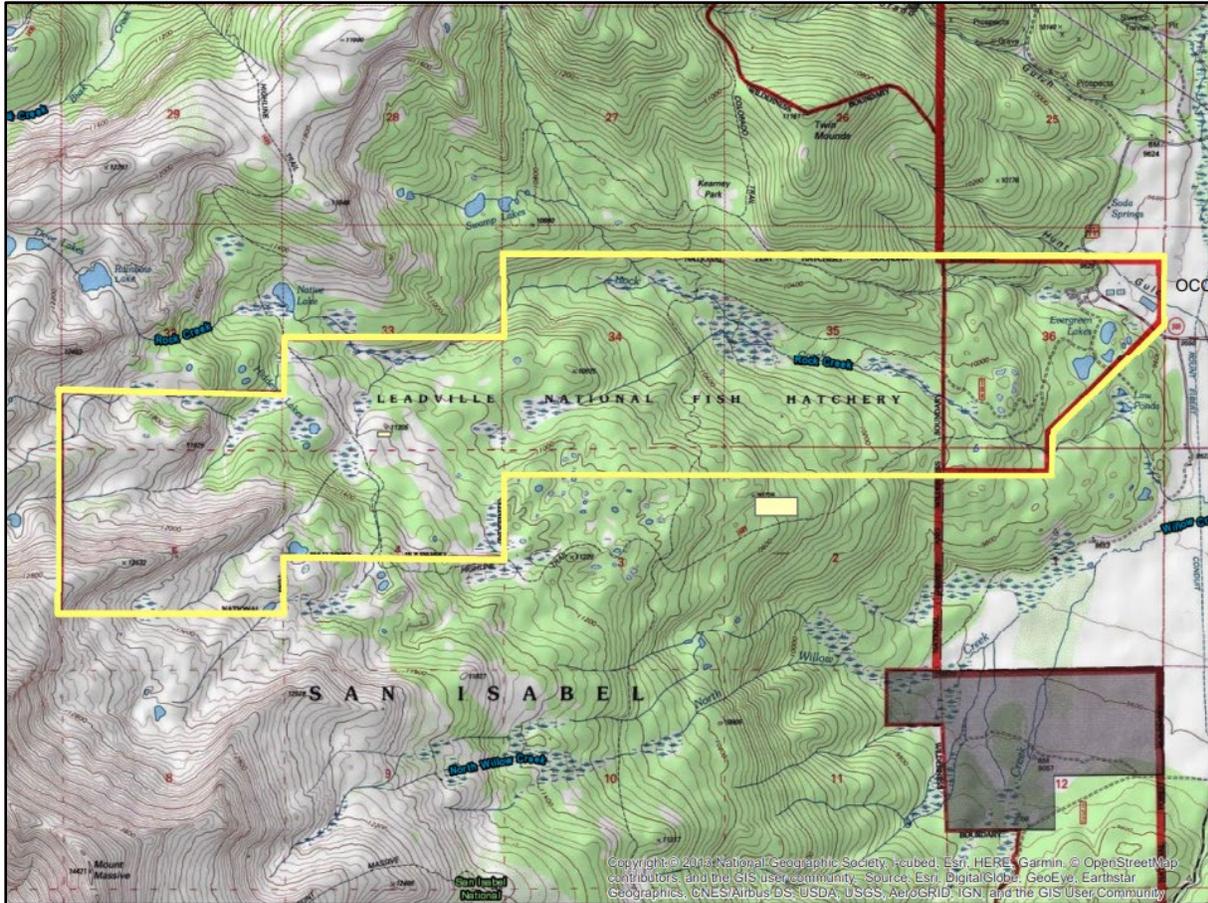


Figure 2: Hatchery Boundary (yellow). Wilderness boundary is thin north-south red line. Wilderness designation is located to the left of the line.

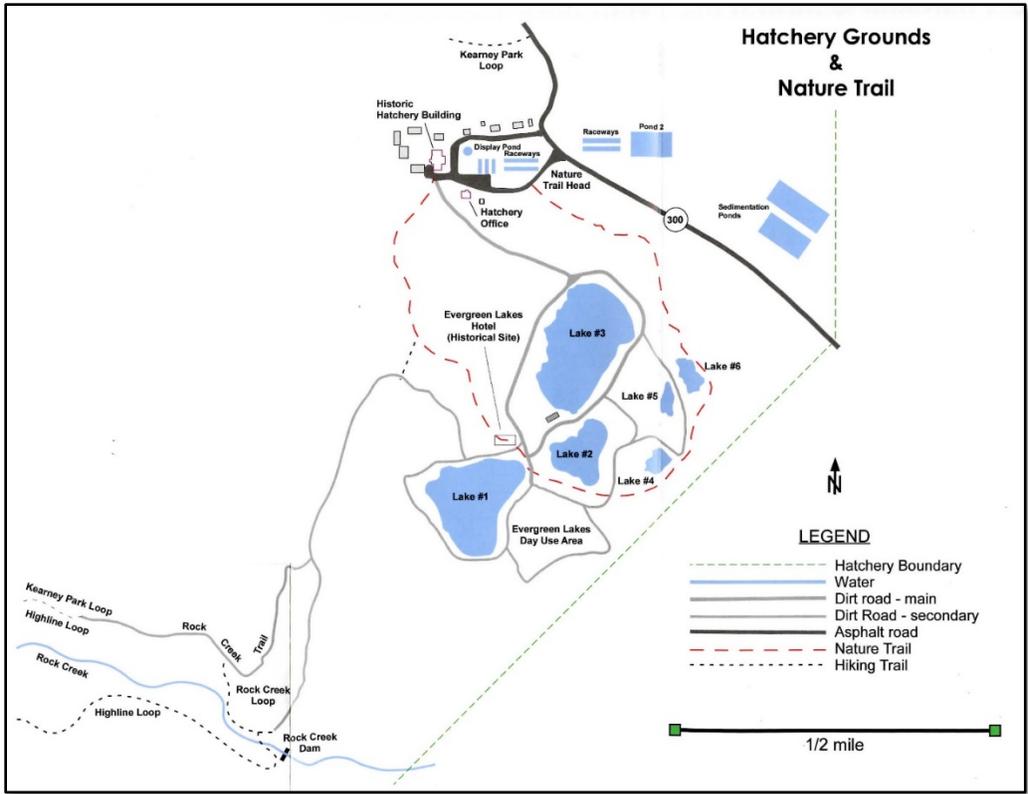


Figure 3: Main Hatchery compound showing building locations and lower Hatchery trails and roads.

**Environmental Consequences of the Action**

This section analyzes the environmental consequences of the action on each affected resource, including direct and indirect effects. This EA only includes the written analyses of the environmental consequences on a resource when the impacts on that resource could be more than negligible and therefore considered an “affected resource”. Any resources that would not be more than negligibly impacted by the action have been dismissed from further analyses.

**Fish and Wildlife Populations**

Under the proposed action, the Service’s ability to reach its fish and wildlife population goals would not be negatively affected. Population rehabilitation and management would be accomplished with agencies that own and manage adjacent land, such as the U.S. Forest Service or the Colorado Parks and Wildlife, as well as interested citizens and organizations whose goals overlap with the Service. See Table 1 for further analysis.

Tables 1-5 provide:

1. A brief description of the affected resources in the proposed action area

2. Impacts of the proposed action and any alternatives on those resources, including direct and indirect effects.

Table 6 provides a brief description of the cumulative impacts of the Proposed Action and any Alternatives.

Impact Types:

- *Direct effects* are those which are caused by the action and occur at the same time and place.
- *Indirect effects* are those which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable.
- *Cumulative impacts* result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-federal) or person undertakes such other actions.

**TABLE 1. AFFECTED NATURAL RESOURCES AND ANTICIPATED IMPACTS OF THE PROPOSED ACTION AND ANY ALTERNATIVES**

<b>NATURAL RESOURCES</b>	
<b>AFFECTED RESOURCE</b>	<b>ANTICIPATED DIRECT AND INDIRECT IMPACTS</b>
<p><b>Aquatic species</b>            Rock Creek supports cutthroat trout and brook trout. The sedimentation ponds are inhabited by rainbow trout, brown trout, brook trout and cutthroat trout.</p>	<p><b>Alternative A:</b>  <b>Cutthroat trout, Brook trout, Brown trout, Rainbow trout</b>  <b>Estimated number of anglers: 12 on Rock Creek</b>  <b>Estimated Take/Harvest: 144 Brook trout. Cutthroat fishery is catch and release only.</b>  <b>Discussion:</b>            Angling on Rock Creek is managed by Colorado Parks and Wildlife. The Hatchery provides access to this fishery. CPW monitors the fishery and would make any changes necessary to regulations if there were any impacts to river populations. The hatchery maintains the sedimentation ponds near the raceways which are used, primarily, for special fishing events.            State fishing information and regulations can be found at: <a href="#">CPW Fishing Regulations</a></p> <p><b>Alternative B:</b></p>

<b>NATURAL RESOURCES</b>	
	<p>Fishing on Hatchery property would be closed. There would be no opportunity for the public to fish at Leadville NFH in the sedimentation ponds or have access to fishing on the Rock Creek.</p>
<p><b>Waterfowl Ducks and geese</b></p> <p>During the spring, summer, and fall Hatchery wetlands support many species of waterfowl, including approximately 16 species of ducks and geese. Mallard ducks are the most abundant species. Other species commonly noted are Canada goose, blue-winged teal, green-wing teal, cinnamon teal, common goldeneye, Barrow’s goldeneye, northern shoveler, and lesser scaup. The Hatchery provides important habitat for breeding, resting and migration. The peak time for waterfowl use on the Hatchery is during the spring and fall migration.</p>	<p><b>Alternative A:</b></p> <p><b>Mallard, teal, goldeneye, other ducks</b>  <b>Estimated number of hunters: 4</b>  <b>Estimated Take/Harvest: 32</b>  <b>Discussion:</b></p> <p>Leadville NFH allows waterfowl hunting by Special Use Permit to a maximum of four hunters each fall for the sedimentation ponds. This provides enough movement of waterfowl, especially mallard ducks, to discourage predation on the Hatchery fish. Wetlands in the Mt. Massive Wilderness Area are open to all legal waterfowl hunters. To date, limited waterfowl hunters have been observed utilizing these areas.</p> <p><b>Alternative B:</b></p> <p>Waterfowl hunting would be closed. There would be no opportunity to take waterfowl.</p>
<p><b>Other Hunted Avian species Dusky grouse</b></p>	<p><b>Alternative A:</b></p> <p><b>Dusky grouse</b>  <b>Estimated number of hunters: 2</b>  <b>Estimated Take/Harvest: 4</b>  <b>Discussion:</b></p> <p>A limited widespread population of dusky grouse resides in the Mt. Massive Wilderness Area. Although the area is open to hunting of this species, observed hunting activity is very light. Colorado Parks and Wildlife hunting surveys for dusky grouse occur only for counties in the Northwest and Southwest regions of the state. Lake County is included in the CPW Southeast region.</p> <p><b>Alternative B:</b></p>

<b>NATURAL RESOURCES</b>	
	Hunting for dusky grouse would be closed. There would be no opportunity to take dusky grouse.
<p><b>Big Game Species</b></p> <p><b>Elk and mule deer</b></p>	<p><b>Alternative A:</b></p> <p><b>Elk and mule deer</b></p> <p><b>Estimated number of hunters: 15</b></p> <p><b>Estimated Take/Harvest: 4</b></p> <p><b>Discussion:</b></p> <p>Elk are the most popularly hunted species on the Leadville NFH property. Most elk and mule deer hunting occurs during the archery, black-powder, and rifle seasons 1, 2 and 3. After the third rifle season most of the elk and mule deer have migrated off Hatchery property. Most of the elk are harvested in the Mt. Massive Wilderness Area. Probably 2 a year for elk. Deer there but have never seen any taken.</p> <p>State hunting information and regulations can be found at: <a href="#">CPW Fishing and Hunting regulations</a></p> <p><b>Alternative B:</b></p> <p>Hunting for elk and mule deer would be closed. There would be no opportunity to take elk or mule deer.</p>
<p><b>Other Wildlife and Aquatic Species</b></p> <p>The Hatchery supports a diversity of wildlife species including game and nongame species, amphibians, and invertebrates, which are important contributors to the overall biodiversity on the Hatchery. Songbirds, shorebirds and waterfowl breed at the Hatchery and make their presence felt during the spring and summer months. Furbearers and other small game such as coyote, red fox, pine martin, mink, long and short-tailed</p>	<p><b>Alternative A:</b></p> <p>Fishing on the Hatchery may result in short-term disturbance to wildlife. Disturbance of migratory birds, upland/small game and big game species may increase. This includes temporary displacement of waterfowl and other resident wildlife from foot traffic moving through the area. Cumulative effects to waterfowl species at the “flyway” level should be negligible. Wildlife would include small mammals such as voles, moles, mice, and shrews; amphibians such tiger salamanders and boreal chorus frogs; and invertebrates such as butterflies, moths, other insects and spiders. Except for migratory birds and some species of migratory butterflies and moths, these species have very limited home ranges and fishing would not affect their populations regionally. Some species of butterflies and moths are migratory.</p>

<b>NATURAL RESOURCES</b>	
<p>weasels, beaver, muskrat, snowshoe hare, black-tailed jackrabbit and pine squirrels are present year round. Infrequent wildlife on the Hatchery include black bear, bobcat, and mountain lion.</p>	<p>Any angler interaction would be similar to that of non-consumptive users.</p> <p>The same disturbance from foot traffic could affect wildlife as well. Hunting for small game species has not occurred historically at the hatchery, although allowed in accordance with State of Colorado laws and regulations. Hunting for these species is not expected to be initiated unless there is a request to do so. Trapping is not allowed because dogs are allowed on hatchery property.</p> <p>Any hunter interaction would be similar to that of non-consumptive users.</p> <p><b>Alternative B:</b></p> <p>Hunting and fishing would be closed on the 3,072 acres of Hatchery land. No hunting or fishing opportunities would exist. The disturbance to wildlife would remain unchanged and limited to daily Hatchery activities and general public users such as walker and hikers who typically move through the grounds on established trails.</p>
<p><b>Threatened and Endangered Species and Other Special Status Species</b></p>	<p><b>Alternative A:</b></p> <p>The project is inside the range of the Canada Lynx (threatened), Boreal toad (Under review), Wolverine (Proposed threatened), southern white-tailed ptarmigan (Under review), greenback cutthroat trout (threatened), and the Penland alpine fen mustard (threatened). There are no critical habitat designations within the project site.</p> <p>Hunting and fishing activities occur currently on Hatchery grounds. Hunting and fishing regulations are set outside nesting and breeding seasons of listed species or species of concern. There would be no direct or indirect impacts to these species under the Preferred Alternative. A Section 7 Consultation will be completed as part of the final opening package.</p> <p><b>Canada Lynx</b></p> <p>This species is listed as threatened in Colorado. Lynx may have disappeared from Colorado by about 1973. Sightings prior to that time were few, scattered throughout</p>

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	<p>mountainous areas of the state. In 1999, an ambitious program of lynx restoration began in the remote San Juan Mountains. By 2005, more than 200 animals had been released, a number of litters of kittens had been born, and lynx were expanding throughout the high country and occasionally beyond. Sightings on the Leadville NFH land have been very infrequent since the reintroduction. (<a href="#">CPW, 2019c</a>)</p> <p><b>Wolverine</b>  There once was a viable population of wolverine in the state, however the last confirmed record was from 1919. Twelve survey efforts from 1979-1996 yielded no confirmed sightings. Colorado’s high elevation and rugged terrain were and are good wolverine habitat, but because the species naturally exists in extremely low numbers wherever it is found, the species was never numerous in the State. In 2009, researchers from Grand Teton National Park tracked a wolverine into north-central Colorado. It is estimated that Colorado has the potential to support approximately 100 animals at full carrying capacity. Because the animal needs large areas of cold, rocky habitat, the vast majority of land where the animal would live occurs on high-elevation public lands such as is found in Lake County. (<a href="#">CPW, 2019e</a>)</p> <p><b>Greenback Cutthroat Trout</b>  Though presumed to be extinct by 1937, several wild populations of what were thought to be greenback cutthroat trout were discovered in the South Platte and Arkansas basins starting in the late 1950s. These discoveries launched an aggressive conservation campaign that replicated those populations across the landscape so that they could be down-listed from endangered to threatened under the Endangered Species Act. Efforts to establish new populations were proceeding along a track that suggested the recovery plan benchmarks might soon be met, and the subspecies could be delisted entirely. Recent genetic work on museum and extant populations however suggests that in fact the true native cutthroat of the South Platte basin (and heir to the name greenback cutthroat trout), can be found in only a single stream, Bear Creek, outside their native range. Aggressive recovery efforts have been implemented to replicate this population, with the first</p>

NATURAL RESOURCES	
	<p>reintroduction in the wild occurring in August 2014. Due to its cold clean water supply, Leadville NFH is ideally suited to help restore depleted native cutthroat trout populations and supports the main brood stock for the Bear Creek greenback cutthroat. Progeny from the captive broodfish held at Leadville NFH are being used to establish additional populations throughout the State of Colorado. (USFWS, 2014)</p> <p>Cutthroat trout present in the Rock Creek drainage are legally considered “greenback” cutthroat and must be released if caught while fishing.</p> <p><b>Boreal Toad</b></p> <p>Formerly widespread and common, these small toads are now extremely scarce. The main cause of decline is the amphibian chytrid fungus, a skin fungus which has also attacked many other amphibian species worldwide. Because of declining populations, Colorado listed the boreal toad as a state endangered species in 1993. Boreal toad is Colorado’s only alpine toad species, inhabiting lakes, ponds and marshes at 8,000 to 12,000 feet in elevation. (<a href="#">CPW, 2019b</a>)</p> <p><b>Southern white-tailed ptarmigan</b></p> <p>The white-tailed ptarmigan (<i>Lagopus leucura</i>) is endemic to alpine regions of western North America. Except for several transplants into previously unoccupied habitats, the distribution and abundance of this alpine grouse have remained relatively unchanged. (<a href="#">US Forest Service Assessment Southern White-tailed Ptarmigan</a>). Although it is not federally listed as threatened or endangered in any portion of its range, the white-tailed ptarmigan is listed as a sensitive species within the USDA Forest Service (USFS) Rocky Mountain Region (Region 2), where it is found in suitable habitats throughout Colorado and in the Snowy Range of southern Wyoming (Hoffman 2006). Within Colorado, occupied areas are described as all alpine habitats, with the exception of Spanish Peaks, Greenhorn Mountain, and Pikes Peak (Braun and Rogers 1971). The State Colorado recognizes the species as a Species of Greatest Conservation Need (CPW, 2015).</p>

<b>NATURAL RESOURCES</b>	
	<p><b>Penland Alpine Fen Mustard</b></p> <p>This high altitude plant is an herbaceous perennial usually found on south- and east-facing flat to gently sloping benches with steep walls that provide some protection from snow-melting winds. It is found in the mosquito Range in central Colorado (Lake, Park and Summit counties), at elevations between 12,300 and 13,100 feet. (<a href="#">CDOT, 2019</a>)</p> <p>The action area does not provide critical habitat for any of these species. The proposed action activities will have no effect on any federally listed, proposed, or candidate plant or wildlife species or designated critical habitat.</p> <p><b>Alternative B:</b></p> <p>Hunting and fishing would be closed on the 3,072 acres of Hatchery land. No hunting or fishing opportunities would exist. The disturbance to Species of Concern would remain unchanged and limited to daily Hatchery activities and general public users such as walker and hikers who typically move through the grounds on established trails.</p>
<p><b>Vegetation (including vegetation of special management concern)</b></p> <p>Vegetation on the Hatchery consists of a variety of trees and shrubs lining the riverbank including lodgepole pine, aspen, alder, and willows. Herbaceous plants include grasses, sedges, and rushes. Additionally small pockets of flowering wetland plants, such as marsh marigold, bittercress and bluebells occur throughout the property.</p>	<p><b>Alternative A:</b></p> <p>Some minor effects to vegetation are expected from trampling, because of the increased number of users and days of use expected. The trampling of vegetation would primarily occur with foot traffic. Because of the low number of users expected and limited days of use expected primarily in the fall, winter and early spring the impact would be minimal.</p> <p><b>Alternative B:</b></p> <p>No action would be taken by the Service to open the 3,072 acres of Hatchery land to hunting and fishing. This alternative would effectively close all Hatchery land to the public for hunting and fishing. There would be no impacts to existing vegetation except for the perhaps minor impacts due to a growing resident deer and elk populations without hunting.</p>

**TABLE 2. AFFECTED VISITOR USE AND EXPERIENCE AND ANTICIPATED IMPACTS OF THE PROPOSED ACTION AND ANY ALTERNATIVES**

<b>VISITOR USE AND EXPERIENCE</b>	
<b>AFFECTED RESOURCE</b>	<b>ANTICIPATED DIRECT AND INDIRECT IMPACTS</b>
<p>Visitors are provided a variety of opportunities to interact with nature at the Leadville National Fish Hatchery. Trails provide an opportunity for viewing many wildlife species including birds, amphibians, mammals and insects. The Hatchery raceways and the Evergreen Lakes also provide an attraction for wildlife and are frequented by the public. Visitation to the Hatchery is approximately 50,000 annually.</p>	<p><b>Alternative A:</b></p> <p>Fishing on the in Rock Creek and hunting on Hatchery grounds would have negligible impacts to other wildlife-dependent recreation and visitor use of the Hatchery. Opportunities for wildlife viewing abound in the Hatchery’s wetlands and nature trails.</p> <p>Leadville NFH hosts special events in concert with its Friends group. Events include: March- Winter Fun Day; May - Pathways to Fishing for local schools; and June – Fish Hatchery 5K Run. The Friends group and Hatchery also participate in local community events such as Leadville Boom Days in August and the Parade of Lights in December. Visitation to the Hatchery in 2018 was estimated at 50,000 people. Typically visitor activities can be described as, Hatchery tours, school field trips and drop-in visitors that may participate in recreation such as photography, hiking, walking, snowshoeing and cross country skiing. Opening the 3,072 acres of Hatchery land to hunting and fishing would not increase impacts on visitors and would not increase potential for conflicts with other public users. It is expected that a relatively low number of hunters and anglers present during legal hunting and fishing hours and legal seasons would have little or no direct or indirect impact on non-hunting or non-fishing visitors. Any engagement by the two types of users is expected to be positive and educational and may create better understanding for all. Because hunting would not be allowed within 100 yards of Hatchery buildings and infrastructure it is unlikely that the Service would need to mitigate for any impacts by the proposed opening to hunting.</p> <p><b>Alternative B</b></p>

<b>VISITOR USE AND EXPERIENCE</b>	
	No action would be taken by the Service to open the 3,072 acres of Hatchery land to hunting and fishing. This alternative would effectively close all Hatchery land to the public for hunting and fishing. This alternative would produce no impacts to existing visitors and public users.

**TABLE 3. AFFECTED CULTURAL RESOURCES AND ANTICIPATED IMPACTS OF THE PROPOSED ACTION AND ANY ALTERNATIVES**

<b>CULTURAL RESOURCES</b>	
<b>AFFECTED RESOURCE</b>	<b>ANTICIPATED DIRECT AND INDIRECT IMPACTS</b>
<p>The main Hatchery building was completed in 1890 and is on the National Register of Historic Places. Recent improvements have restored it to resemble the original construction.</p>	<p><b>Alternative A:</b></p> <p>Hunting and fishing as proposed would not affect cultural resources and there would be no cumulative impacts to such resources. Activities that might cause an effect to a historic property would be subject to a case-by-case Section 106 review.</p> <p><b>Alternative B:</b></p> <p>No action would be taken by the Service to open the 3,072 acres of Hatchery land to hunting and fishing. This alternative would effectively close all Hatchery land to the public for hunting and fishing. This alternative would produce no impacts to cultural resources.</p>

**TABLE 4. AFFECTED HATCHERY MANAGEMENT AND OPERATIONS AND ANTICIPATED IMPACTS OF THE PROPOSED ACTION AND ANY ALTERNATIVES**

<b>HATCHERY MANAGEMENT &amp; OPERATIONS</b>	
<b>AFFECTED RESOURCE</b>	<b>ANTICIPATED DIRECT AND INDIRECT IMPACTS</b>
<p><b>Land Use:</b></p> <p>This Hatchery was authorized to propagate fish for recreation and restoration. While concern over the potential spread of disease or aquatic invasive species through public interaction is a concern, the opportunity for the public to recreate in the public waters of the Hatchery outweighs potential negative consequences at this time.</p>	<p><b>Alternative A:</b></p> <p>Some potential conflicts with fish propagation programs could occur with potential illegal movement of fish species from Rock Creek. Transfer of parasites, disease or other aquatic invasive species (AIS) from the Creek to the Hatchery tanks or ponds could also occur. Signage at the Hatchery would be used to educate the visiting public of the threats to the Hatchery from the transfer of fish or AIS. Careful monitoring of the fish and regular inspections should alert the staff to any conflict that might arise and steps may be taken, at that point, to further minimize impacts. Currently no AIS species are known present in Rock Creek or Evergreen Lakes.</p> <p><b>Alternative B:</b></p> <p>No action would be taken by the Service to open the 3,072 acres of Hatchery land to hunting and fishing. This alternative would effectively close all Hatchery land to the public for hunting and fishing. This alternative would produce no impacts to Hatchery management, operations, buildings or the water supply.</p>
<p><b>Administration</b></p>	<p><b>Alternative A:</b></p> <p>Opening the 3,072 acres of Hatchery land to public hunting and fishing would be a minor impact. Funding and staffing for hunting and fishing activities would be limited to administration of the Hunt and Fish plans only, as we would rely on state of Colorado for any necessary enforcement actions.</p> <p><b>Alternative B:</b></p> <p>No action would be taken by the Service to open the 3,072 acres of Hatchery land to hunting and fishing. This alternative would effectively close all Hatchery land to the public for hunting and fishing. This alternative would produce no impacts to Hatchery administration.</p>

**TABLE 5. AFFECTED SOCIOECONOMICS AND ANTICIPATED IMPACTS OF THE PROPOSED ACTION AND ANY ALTERNATIVES**

<b>SOCIOECONOMICS</b>	
<b>AFFECTED ENVIRONMENT</b>	<b>ANTICIPATED DIRECT AND INDIRECT IMPACTS</b>
<b>Local and regional economies</b>	<p><b>Alternative A:</b></p> <p>The Hatchery is located 6.4 miles from the town of Leadville, CO. The Leadville, CO Chamber of Commerce lists the Hatchery as one of the area’s main attractions. The town had a population of 2,759 in 2017 with a median age of 39.3. The population has increased 6% since the 2010 census. The median household income according to Data USA (<a href="#">DataUSA</a>, 2017) is \$41,444. The median property value in Leadville, CO is \$241,200, which is 0.66 times higher than the national average of \$205,000. Between 2017 and 2018 the median property value increased 10.6%. Data USA reports the economy of Leadville, CO employs 1,636 people. The economy is specialized in Mining, Quarrying, Oil, Gas Extraction; Arts, Entertainment, Recreation; and Construction, which employ, respectively, 5.34; 3.29; and 2.99 times more people than what would be expected in a location of this size. It is expected that there would not be any major impact on the plus or negative side regarding the social/economics with the opening of the Hatchery to hunting and fishing. Participation is like to be fairly low and thus the direct and indirect impacts to the area economy and society should be negligible.</p> <p><b>Alternative B:</b></p> <p>No action would be taken by the Service to open the 3,072 acres of Hatchery land to hunting and fishing. This alternative would effectively close all Hatchery land to the public for hunting and fishing. This alternative would produce no impacts (positive or negative) to socio-economics of Leadville, CO or Lake County, CO.</p>
<b>ENVIRONMENTAL JUSTICE</b>	
	Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-

<b>SOCIOECONOMICS</b>	
	<p>Income Populations, requires all Federal agencies to incorporate environmental justice into their missions by identifying and addressing disproportionately high or adverse human health or environmental effects of their programs and policies on minorities and low-income populations and communities.</p> <p>The Service has not identified any potential high and adverse environmental or human health impacts from this proposed action or any of the alternatives. Minority or low income communities would not be disproportionately affected by any impacts from this proposed action or any of the alternatives.</p>

**Cumulative Impact Analysis:**

Cumulative impacts are defined as “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions” (40 CFR 1508.7).

Due to the negligible impacts from the proposed action to all resources and the mitigative measures for monitoring habitat, fish, people and conditions, substantive cumulative impacts are not anticipated. Any change in circumstances or conditions would trigger changes to management and potential for the development and implementation of best management practices to control or minimize negative impacts. There are no known critical resource issue that would be impacted and as there are no alternatives, the proposed alternative is not deemed to result in substantial negative impacts either cumulative or relative. If there are changes to State of Colorado fishing regulations or other federal or state policy that would allow for greater impacts, then this conclusion should be reevaluated.

**TABLE 6. ANTICIPATED CUMULATIVE IMPACTS OF THE PROPOSED ACTION AND ANY ALTERNATIVES**

<b>Other Past, Present, and Reasonably Foreseeable Activity Impacting Affected Environment</b>	<b>Descriptions of Anticipated Cumulative Impacts</b>
Fishing	<p><b>Alternative A:</b></p> <p>The Hatchery land has been open to fishing since its establishment in 1889 with no past or present impacts on</p>

Other Past, Present, and Reasonably Foreseeable Activity Impacting Affected Environment	Descriptions of Anticipated Cumulative Impacts
	<p>aquatic populations or habitat locally, regionally or statewide.</p> <p><b>Alternative B:</b></p> <p>No action would be taken by the Service to open the 3,072 acres of Hatchery land to fishing. This alternative would effectively close all Hatchery land to the public for fishing. This alternative would produce no impacts (positive or negative) to wildlife and aquatic populations, locally regionally or statewide.</p>
Hunting	<p><b>Alternative A:</b></p> <p>The Hatchery land has been open to hunting since its establishment in 1889 with no past or present impacts on wildlife populations or habitat locally, regionally or statewide.</p> <p><b>Migratory Game Bird</b></p> <p>This alternative would open 3,072 acres of Hatchery land to migratory game bird hunting, primarily mallard, teal, goldeneye and lesser numbers of other waterfowl. Most of the hunting occurs over the sedimentation ponds or within the boundaries of the Mt. Massive Wilderness Area. Statewide in 2017 there were approximately 11,700 active duck hunters with an approximate average seasonal harvest of 8.0 per hunter (Raftovich et al., 2018). The estimated take on the Hatchery, based upon the average harvest per hunter in Colorado from 2017 data, could potentially be 32 ducks. This estimated harvest represents an estimated (.034%) of the harvest in the State for 2017. These estimates demonstrate that the possible harvest associated with opening hunting at the Hatchery would not impact populations in Colorado.</p> <p><b>Upland Game Bird</b></p> <p>This alternative would open 3,072 acres of Hatchery land to dusky grouse hunting. Statewide, 12,361 dusky grouse were harvested during the 2017-2018 season (CPW, 2018a). These numbers were gathered from hunting surveys in the Northwest and Southwest regions. Lake County, where Leadville is located is located in the Southeast region of the</p>

<b>Other Past, Present, and Reasonably Foreseeable Activity Impacting Affected Environment</b>	<b>Descriptions of Anticipated Cumulative Impacts</b>
	<p>State. By extrapolation, if four grouse are taken each year on Hatchery property, this would equal .032% of the total estimated statewide take. These estimates demonstrate that the possible harvest of dusky grouse associated with opening hunting at the Hatchery would not impact populations in this state.</p> <p><b>Upland Game</b></p> <p>This alternative would open 3,072 acres of Hatchery land to small upland game hunting. However, no active hunting for small game is expected as none has occurred in the past on Hatchery property. Trapping is not allowed as dogs are allowed on the property. Very little if no impact is expected on small game.</p> <p><b>Big Game</b></p> <p>This alternative would open 3,072 acres of Hatchery land to hunting for elk and mule deer.</p> <p>This alternative would open 3,072 acres of Hatchery land to mule deer hunting. Approximately 51 mule deer out of an estimated unit population of 3,620 were harvested in the Game Management Units 48, 481, 56 and 561 in 2017 (CPW, 2018c). Leadville NFH is located in GMU 48. This data and management trends suggest that possible harvest on the Hatchery associated with opening hunting for mule deer would be negligible and would not significantly impact populations by game management unit and would address CPW recommendations for management of sustainable populations.</p> <p>This alternative would open 3,072 acres of Hatchery land to elk hunting. Approximately 130 elk out of an estimated unit population of 3,620 were harvested in the Game Management Units 48, 481, 56 and 561 in 2017 (CPW, 2018c). Leadville NFH is located in GMU 48. The data and management trends suggest that the possible harvest associated with opening hunting at the Hatchery would be approximately (4%) of the estimated harvest for these four management units which would not significantly impact populations by game management unit and address CPW recommendations for management of sustainable populations.</p>

Other Past, Present, and Reasonably Foreseeable Activity Impacting Affected Environment	Descriptions of Anticipated Cumulative Impacts
	<p>Leadville NFH would conduct hunting programs within the framework of State and Federal regulations. Population estimates of huntable species (likely to experience harvest) were examined at a regional, state, and flyway scale. Hunting frameworks and take limits are set based upon these estimates. The proposed Hatchery hunting program rules would be the same as hunting regulations throughout the State of Colorado. By maintaining hunting regulations that are the same as or perhaps more restrictive than the State, the Hatchery can ensure that they are maintaining seasons which are supportive of management on a more regional basis. Such an approach also provides consistency with large scale population status and objectives. The Hatchery would consistently coordinate with the State about the hunting program. Please refer to above analysis for examples.</p> <p><b>Alternative B:</b></p> <p>No action would be taken by the Service to open the 3,072 acres of Hatchery land to hunting. This alternative would effectively close all Hatchery land to the public for hunting. This alternative would produce no impacts (positive or negative) to wildlife populations, locally regionally or statewide.</p>
Other wildlife-dependent recreation (i.e. road and trail development and use)	<p>Although the Hatchery is a visitor destination in the Leadville, CO area the use and development of trails and roads on the Hatchery has remained the same since their initial development and causes no impact on the wildlife species or wildlife habitats. Recreation and the outdoor lifestyle are important aspects of the economy of the area. The opening of the 3,072 acres of Hatchery land to hunting and fishing is not expected to affect the economics locally or exterior to the area near Leadville NFH. This is explained by the fact that the Hatchery land has been open to hunting, fishing and other recreation since the opening of the hatchery in 1889. Thus any impacts are expected to be negligible.</p>
Development and Population Increase	<p>The Hatchery is located 6.4 miles from the town of Leadville, CO. The Leadville, CO Chamber of Commerce lists the Hatchery as one of the area's main attractions. The town had a population of 2,759 in 2017 with a median age</p>

Other Past, Present, and Reasonably Foreseeable Activity Impacting Affected Environment	Descriptions of Anticipated Cumulative Impacts
	<p>of 39.3. The population has increased 6% since the 2010 census. The median household income according to Data USA is \$41,444. The median property value in Leadville, CO is \$241,200, which is 0.66 times higher than the national average of \$205,000. Between 2017 and 2018 the median property value increased 10.6%. Because the Hatchery would use an adaptive management approach for both its hunt and fish programs, reviewing the hunt and fish programs every 5 years and revising (if necessary), the Service's hunt and fish programs can be adjusted to ensure that they do not contribute further to the cumulative impacts of population growth and development on wildlife populations and their habitats.</p>
Use of lead ammunition/tackle	<p>Under the current State of Colorado 2018 Colorado Migratory Bird Regulations (CPW, 2018b). It is illegal to use or have toxic (lead) shot, either in shotshells or as loose shot for muzzleloading, while taking or attempting to take ducks, geese or coots in Colorado. This includes national wildlife refuges open to hunting. Toxic shot, either in shotshells or as loose shot for muzzleloading, cannot be in a hunter's gun, on his/ her person or near a hunter taking or attempting to take waterfowl. It is illegal to have or use nontoxic shot larger than size T to hunt ducks, geese or coots. Nontoxic shot is any type approved by the U.S. Fish and Wildlife Service. Colorado Parks and Wildlife regulations for waterfowl would be enforced. An estimated 15 hunters may harvest up to 4 elk annually, and occasionally a deer on the Hatchery land. These estimates reflect a very small number of hunters relative to the number of the deer and elk hunters hunting in the management unit, the county, the region or statewide. Therefore, the continued allowance of lead ammunition for hunting of white-tail deer would have a negligible impact on the cumulative impacts of lead in the environment. There are no regulations on the use of lead tackle for fishing in the State of Colorado. Artificial flies and lures only are allowed in Rock Creek.</p>
Climate Change	<p>Under this alternative opening the 3,072 acres of Hatchery land to hunting and fishing, the Hatchery would use an adaptive management approach by reviewing the hunt plan every 5 years and revising (if necessary) should it be</p>

Other Past, Present, and Reasonably Foreseeable Activity Impacting Affected Environment	Descriptions of Anticipated Cumulative Impacts
	determined that a local effect of climate change needs to be addressed.

**Mitigation Measures and Conditions**

Leadville NFH staff and state fish and wildlife authorities will monitor the impacts of the action according to their responsibilities and jurisdiction. Any noticeable impact on safety, the environment (habitat or human environment), facility operations or other would be addressed through management actions to minimize the impacts. As there are no known substantial impacts at this time, monitoring is the main mitigative measure proposed.

**Monitoring**

Leadville NFH staff monitors the grounds including trails, access points and undeveloped property of the Hatchery for changes in conditions, safety concerns, property damage, ecological impact, littering or pollution or other detrimental changes. This would be done as a course of standard work function throughout the normal tour of duty of management and operations staff. Any issue that impacts resources to a notable degree would trigger a discussion and management response if needed.

State of Colorado fish and wildlife authorities or other state and local authorities with jurisdiction may monitor resources (e.g. state waters and state fishery and wildlife) according to state regulations and in coordination with Leadville NFH staff. If concerns or impacts are noticed by state authorities, Leadville NFH would work cooperatively to resolve any issues.

State fishing information and regulations can be found at:  
[CPW State Fishing regulations](#)

State hunting information and regulations can be found at:  
[CPW Hunting and Fishing regulations](#)

**Summary of Analysis**

The purpose of this EA is to briefly provide sufficient evidence and analysis for determining whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

## **Alternative A - Open the Hatchery to hunting and fishing in accordance with State of Colorado Hunting and Fishing Seasons and Regulations (Preferred Alternative)**

While Hatcheries, by their nature, are unique areas protected for conservation of fish, wildlife and habitat, the proposed action would not have a significant impact on Hatchery resources and uses for several reasons:

- In the context of State fishing programs, the proposed action supports and is in cooperation with State regulations and management. The Service works closely with the State to ensure fish management practices support and do not conflict with State fish and wildlife goals.
- In the context of State hunting programs, the proposed action supports and is in cooperation with State regulations and management. The Service works closely with the State to ensure wildlife management practices support and do not conflict with State fish and wildlife goals.
- The action would result in beneficial impacts to the human environment, including the biodiversity and ecological integrity of the Hatchery, as well as the wildlife-dependent recreational opportunities and socioeconomics of the local economy, with only negligible adverse impacts to the human environment as discussed above.
- The adverse direct and indirect effects of the proposed action on air, water, soil, habitat, wildlife, aesthetic/visual resources, and wilderness values are expected to be negligible. The benefits to long-term ecosystem health that these efforts would accomplish far outweigh any of the short-term adverse impacts discussed in this document.
- The action, along with proposed mitigation measures, would ensure that there is low danger to the health and safety of Hatchery staff, visitors, and the public in general.
- The action is not in an ecologically sensitive area;
- The action would not impact any threatened or endangered species; or any Federally-designated critical habitat;
- The action would not impact any cultural or historical resources;
- The action would not impact any wilderness areas;
- There is no scientific controversy over the impacts of this action and the impacts of the proposed action are relatively certain.
- The proposal is not expected to have any significant adverse effects on wetlands and floodplains, pursuant to Executive Orders 11990 and 11988 because:

## **Alternative B – Hatchery closed to hunting and fishing-No hunting or fishing permitted on Hatchery property**

No action would be taken by the Service to open Hatchery lands to public hunting and fishing. This alternative would effectively close the Hatchery lands to the public for hunting and fishing. Under the no hunting and fishing action alternative, the Service would operate the Hatchery as usual. This alternative would not meet the purpose and needs of the Service as described above, because it would not provide additional wildlife-dependent recreation opportunities in the form of hunting and fishing. There would be no impact on administration, Hatchery operation or maintenance. There would be no discernable impact on wildlife species or habitats.

## **List of Sources, Agencies and Persons Consulted:**

Colorado Parks and Wildlife  
1313 Sherman Street, 6th Floor  
Denver, CO 80203

## **References:**

- Colorado Department of Transportation. 2019. Programs. [Penland Alpine Fen Mustard](#)
- Colorado Parks and Wildlife. 2015. Colorado's 2015 State Wildlife Action Plan. [Colorado State Wildlife Action Plan 2015](#)
- Colorado Parks and Wildlife. 2018a. 2017-2018 Small Game Harvest Report. [2017-18 Small Game Harvest Report](#)
- Colorado Parks and Wildlife. 2018b. 2018 Colorado Small Game and Waterfowl, 2018-2019. [2018 Colorado Small Game and Waterfowl Seasons](#)
- Colorado Parks and Wildlife. 2018c. 2018 Southeast Colorado Hunting Guide. [2018 Southeast Colorado Hunting Guide](#)
- Colorado Parks and Wildlife. 2019a. 2019 Colorado Fishing, Season: April 1, 2019-March 31, 2020. [2019 Colorado Fishing Season](#)
- Colorado Parks and Wildlife. 2019b. Boreal Toad. [Boreal Toad](#)
- Colorado Parks and Wildlife. 2019c. Lynx. [Lynx](#)
- Colorado Parks and Wildlife. 2019d. Regulations Brochures. [CPW Hunting and Fishing regulations](#)
- Colorado Parks and Wildlife. 2019e. Wolverine. [Wolverine](#)
- DataUSA. 2017. [Data USA Leadville, CO](#)
- Raftovich, R.V., S. C. Chandler, and K.K. Fleming. 2018. Migratory bird hunting activity and harvest during the 2016-17 and 2017-18 hunting seasons. U.S. Fish and Wildlife Service, Laurel, Maryland, USA. [Migratory bird harvest 2016-2018](#)
- Rosenlund, B. D. and T. R. Rosenlund. 1989. Leadville National Fish Hatchery 1889-1989. Fisheries. 14(3):18-20.
- U.S. Fish and Wildlife Service, 2014. Leadville National Fish Hatchery. [Leadville NFH Website](#)

## **List of Preparers:**

Constance Young-Dubovsky, USFWS R6 Fish and Aquatic Conservation, Fish Biologist  
Ed Stege, USFWS Hatchery Manager, Leadville National Fish Hatchery  
Kevin Johnson, USFWS R6 Fish and Aquatic Conservation Supervisor

## **State Coordination:**

A letter has been sent recently to Jeff Ver Steeg, Acting Director for Colorado Parks and Wildlife. We expect comments will be sent during the 30-day comment period.

### **Tribal Consultation:**

Letters will be sent to these tribes and we expect any comments to come to us during the 30-day comment period.

Apache Tribe of Oklahoma  
Arapaho Tribe of the Wind River Reservation, Wyoming  
Cheyenne and Arapaho Tribes, Oklahoma  
Comanche Nation, Oklahoma  
Fort Belknap Indian Community of the Fort Belknap Reservation of Montana  
Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana

### **Public Outreach:**

The local community is currently aware of the proposed action and will be notified further through Leadville NFH postings on the property and the Leadville Herald Democrat in addition to USFWS Federal register notices.

Announcements concerning public fishing would be made on the Leadville NFH Facebook page, with information about fishing available on the Leadville NFH website: [Leadville NFH website](#). During the 30-day public review and comment period, we will accept comments in writing, in person, electronically, or in any other form the public wishes to present comments or information. The Final EA will address the comment submitted.

### **Determination:**

*This section will be filled out upon completion of any public comment period and at the time of finalization of the Environmental Assessment.*

Based upon a review and evaluation of the information contained in the EA as well as other documents and actions of record affiliated with this proposal, the U.S. Fish and Wildlife Service has determined that the proposal to implement the proposed alternative of access to recreational fishing and hunting opportunities on the Leadville National Fish Hatchery not constitute a major Federal action significantly affecting the quality of the human environment under the meaning of section 102 (2) (c) of the National Environmental Policy Act of 1969 (as amended). As such, an environmental impact statement is not required.

The Service has decided to open fishing and hunting opportunities on the Leadville National Fish Hatchery in accordance with the State of Colorado fishing and hunting regulations as described in this document and the Leadville NFH Hunt and Fish Plans.

This action is compatible with the purposed of the Hatchery and the mission of the U.S. Fish and Wildlife Service National Fish Hatchery System.

The action is consistent with applicable laws and policies regarding fishing and hunting access and opportunities on National Fish Hatchery lands.

Therefore, the U.S. Fish and Wildlife Service has determined a Finding of No Significant Impact from the proposed action based on this assessment.

- The Service's action will not result in a significant impact on the quality of the human environment. See the attached "**Finding of No Significant Impact**".
- The Service's action **may significantly affect** the quality of the human environment and the Service will prepare an Environmental Impact Statement.

Preparer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name/Title/Organization: \_\_\_\_\_

\_\_\_\_\_

Reviewer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name/Title: \_\_\_\_\_

**APPENDIX A  
OTHER APPLICABLE STATUTES, EXECUTIVE ORDERS & REGULATIONS**

<b>Cultural Resources</b>	
<p>American Indian Religious Freedom Act, as amended, 42 U.S.C. 1996 – 1996a; 43 CFR Part 7</p> <p>Antiquities Act of 1906, 16 U.S.C. 431-433; 43 CFR Part 3</p> <p>Archaeological Resources Protection Act of 1979, 16 U.S.C. 470aa – 470mm; 18 CFR Part 1312; 32 CFR Part 229; 36 CFR Part 296; 43 CFR Part 7</p> <p>National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470-470x-6; 36 CFR Parts 60, 63, 78, 79, 800, 801, and 810</p> <p>Paleontological Resources Protection Act, 16 U.S.C. 470aaa – 470aaa-11</p> <p>Native American Graves Protection and Repatriation Act, 25 U.S.C. 3001-3013; 43 CFR Part 10</p> <p>Executive Order 11593 – Protection and Enhancement of the Cultural Environment, 36 Fed. Reg. 8921 (1971)</p> <p>Executive Order 13007 – Indian Sacred Sites, 61 Fed. Reg. 26771 (1996)</p>	<p>a) National Historic Preservation Act of 1966, Section 106 National Historic Preservation Evaluation form attached</p> <p>b) Endangered Species Act of 1973, as amended, Intra-Service Section 7 Evaluation Form attached</p>

**Fish & Wildlife**

Bald and Golden Eagle  
Protection Act, as amended, 16  
U.S.C. 668-668c, 50 CFR 22

Endangered Species Act of  
1973, as amended, 16 U.S.C.  
1531-1544; 36 CFR Part 13;  
50 CFR Parts 10, 17, 23, 81,  
217, 222, 225, 402, and 450

Fish and Wildlife Act of 1956,  
16 U.S.C. 742 a-m

Lacey Act, as amended, 16  
U.S.C. 3371 et seq.; 15 CFR  
Parts 10, 11, 12, 14, 300, and  
904

Migratory Bird Treaty Act, as  
amended, 16 U.S.C. 703-712;  
50 CFR Parts 10, 12, 20, and  
21

Executive Order 13186 –  
Responsibilities of Federal  
Agencies to Protect Migratory  
Birds, 66 Fed. Reg. 3853  
(2001)

**Natural Resources**

Clean Air Act, as amended, 42 U.S.C. 7401-7671q; 40 CFR Parts 23, 50, 51, 52, 58, 60, 61, 82, and 93; 48 CFR Part 23

Wilderness Act, 16 U.S.C. 1131 et seq.

Wild and Scenic Rivers Act, 16 U.S.C. 1271 et seq.

Executive Order 13112 – Invasive Species, 64 Fed. Reg. 6183 (1999)

**Water Resources**

Coastal Zone Management Act of 1972, 16 U.S.C. 1451 et seq.; 15 CFR Parts 923, 930, 933

Federal Water Pollution Control Act of 1972 (commonly referred to as Clean Water Act), 33 U.S.C. 1251 et seq.; 33 CFR Parts 320-330; 40 CFR Parts 110, 112, 116, 117, 230-232, 323, and 328

Rivers and Harbors Act of 1899, as amended, 33 U.S.C. 401 et seq.; 33 CFR Parts 114, 115, 116, 321, 322, and 333

Safe Drinking Water Act of 1974, 42 U.S.C. 300f et seq.; 40 CFR Parts 141-148

<b>Water Resources</b>	
Executive Order 11988 – Floodplain Management, 42 Fed. Reg. 26951 (1977)	
Executive Order 11990 – Protection of Wetlands, 42 Fed. Reg. 26961 (1977)	

**APPENDIX B**

**Leadville National Fish Hatchery  
Fishing Plan**

**February 2019**

*See separate document*

**APPENDIX C**

**Leadville National Fish Hatchery  
All Species Hunt Plan**

**February 2019**

*See separate document*

## APPENDIX D

### INTRA-SERVICE SECTION 7 EVALUATION FORM U.S. FISH AND WILDLIFE SERVICE, REGION 6

#### INTRA-SERVICE SECTION 7 EVALUATION FORM U.S. FISH AND WILDLIFE SERVICE, REGION 6

**Preparation Date:** February 13, 2019

**State and Agency or Tribe:** Colorado

**Program Type:** Fisheries and Aquatic Conservation

**Project Title:** Proposal to formally announce recreational fishing and hunting opportunities at Leadville National Fish Hatchery

**Location (County; City, WMA, watershed etc.):** Lake County, Colorado, Township 140N, Range 58W, Section 8

**Description/Objective:**

The U.S. Fish and Wildlife Service (Service) is proposing to open fishing opportunities for rainbow trout, on the Leadville National Fish Hatchery (Leadville NFH) in accordance with the State of Colorado fishing and hunting regulations and the Hunt/Fish Plan for Leadville NFH. The need of the proposed action is to meet the Service's priorities and mandates as outlined by the Secretary of the Department of Interior to "recognize compatible wildlife-dependent recreational uses as the priority general uses of the Federal Lands and "ensure that opportunities are provided within the National Fish Hatchery system for compatible wildlife-dependent recreational. The hatchery resides on 3,072 acres in Lake County, Colorado, Township 140N, Range 58W, Section 8.

*No Effect*

Leadville National Fish Hatchery is within the range of Greenback cutthroat trout, Canada lynx, Boreal toad, Southern white-tailed ptarmigan and Penland Alpine Fen Mustard. The action area does not provide critical habitat for any of these species. The proposed action activities will have no effect on any federally listed, proposed, or candidate plant or wildlife species or designated critical habitat.

*In Addition to the Above Statement, State a Final Explanation of How We Made Our Determination (Based on the No Effect Example)*

We made the determination that there will be "no effect" to the above federally listed, proposed, and candidate species based on NEPA EA review of the project description (see Draft EA for Leadville NFH Fishing and Hunting Opportunities).

**Conclusion:**

No effect (all species) or

May affect, Not Likely to Adversely Affect (beneficial or non-beneficial) the above listed species

May Affect, Not Likely to Adversely Modify Critical Habitat of the above listed species or

May affect, Not Likely to Jeopardize the above proposed or candidate species

May affect, Not Likely to Adversely Modify Critical Habitat of the above proposed or candidate or

May affect, likely to adversely affect the above listed species only (except plants)

**Recommendation:** Approve Environmental Assessment as proposed without formal consultation.

**Kevin M. Johnson**

**February 12, 2019**

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**Project Officer**

**Date**