

Appendix A. Response to Comments

I. Introduction

We received comments from 14 entities regarding the Draft Environmental Assessment (EA) for the Proposed Translocation of Columbian White-tailed Deer (CWTD) from the Julia Butler Hansen Refuge for the Columbian White-tailed Deer (JBH Refuge) and Puget Island to Ridgefield National Wildlife Refuge (Ridgefield NWR) and Cottonwood Island during the 30-day comment period. Comments on the Draft EA were accepted from December 3, 2012 to January 2, 2013.

All written comments (Table 1) were reviewed and analyzed. Changes were also made in the Final EA as appropriate. Section II of this appendix provides a summary and response to all substantive comments that were received in response to the Draft. Section III provides a list outreach completed to date, Section IV provides a list of list of people and entities that provided comments on the Draft EA, and Section V provides a list of references used in the response to comments.

Table 1. Source of Comments

Affiliation/Entities	Number of Commenters December 3, 2012 through January 2, 2013
Tribes	1
Federal Agencies	1
State Agencies	2
Organizations	3
Elected Officials	1
Interested Parties	6
Total	14

II. Summary of Comments Received

This section provides a summary of the individual comments received on the Draft EA followed by the U.S. Fish and Wildlife Service's (Service or USFWS) responses to those comments. To help analyze the nature and extent of the range of comments received, a number of themes and subthemes were identified within the letters. Most comments have been summarized, but in some cases, we included specific language from a letter that best summarized similarly written comments. The comments are organized into 11 sections: general support, outreach, translocation, monitoring, recovery efforts, Ridgefield NWR, hunting, depredation/animal damage management, potential impacts to other projects, proposed set-back dike at JBH Refuge, and other comments.

1. General Support:

- *I am in favor of relocating the White-Tailed Deer from the Willapa (JBH) refuge to the Ridgefield Wildlife refuge. I grew up in Ridgefield and am still involved in the community and its development. The bringing of the deer completely fits with the community commitment to stay true to its roots. They would be a natural addition and embraced by many.*
- *My wife and I thoroughly enjoy the Ridgefield Refuge each visit. As a Watershed Steward I'm also aware of your great Volunteer program and habitat restoration within the Refuge. I feel it will be a very positive impact on the Refuge - and the Ridgefield community - to be able to provide this sanctuary for an Endangered Species.*
- *I am in favor of the translocation of the Columbian White-tailed deer from the Julia Butler Hansen refuge.*
- *I support the translocation of the CWTD from JBH to Ridgefield.*

Service Response: Comments noted.

2. Outreach:

Several concerns were expressed that there were no public meetings conducted and the Service should conduct additional outreach activities in both Washington and Oregon.

Service Response: The Service's decision to translocate CWTD from JBH to Ridgefield NWR was not taken lightly. The Service believes that this emergency action is the best viable alternative to protect CWTD from the threat of inundation caused by the failure of Steamboat Slough Dike. The Service recognizes additional outreach is needed and we will continue to work with our partners including the Cowlitz Indian Tribe, Washington Department of Fish and

Wildlife (WDFW), and Oregon Department of Fish and Wildlife (ODFW), as well as all other interested parties. The Service plans to hold informational meetings about the translocation on January 22 at Ridgefield Community Center and January 23 at Sauvie Island Academy. A list of outreach conducted thus far has been included in Section III.

Several comments expressed the need for the Service to extend the comment period for this EA.

Service Response: Due to the emergency nature of this action, the Service is not able to extend the comment period for this EA. The protection of this secure sub-population of federally endangered CWTD continues to be our highest priority. Steamboat Slough Dike/Road is in imminent danger of failure and no solution for dike failure has been found to date. A dike failure at JBH Refuge could represent a considerable setback in recovery efforts for the Columbian white-tailed deer. Prior week-long flood events in February 1996, November 2007 and December 2009 in this unit have reduced deer numbers by up to 50% from existing levels. It is expected that daily flooding from a breach at this location could substantially reduce or eliminate this secure subpopulation to where it could not recover. The emergency action was proposed because the risk to this subpopulation is not acceptable to the Service. Furthermore, since the female deer are already pregnant, there is a narrow window that their relocation can be safely accomplished from the end of January to mid-April. Extension of the comment period would shorten this already narrow window of opportunity.

3. Translocation:

Move at least 50 and up to 77 CWTD to Ridgefield Refuge to replace the existing sustainable population from JBH to establish a sustainable population at Ridgefield Refuge.

Service Response: While it may be desirable to move additional deer, it is not practical to capture all of the deer on the mainland unit at JBH. The Service estimates that a maximum of 65-72 % of the total Mainland Unit subpopulation could be captured between the end of January and mid-April. Given the emergency nature of this action and the associated time constraints, the proposed action involves a capture goal of up to 50 individuals from this location.

Move the remaining CWTD to Tenasillahe Island and/or Cottonwood Island.

Service Response: The Service does not propose moving the remaining deer to Tenasillahe or Cottonwood islands for the following reasons. The population of deer on Tenasillahe Island is at or near the estimated carrying capacity. Translocating additional deer to the Tenasillahe Island would increase stress levels of both the resident and translocated deer as well as overall competition for food and cover; this would put the health of both the Mainland and Tenasillahe

populations at risk. We anticipate that the existing habitat on Cottonwood Island will support no more than 25 animals. The U.S. Army Corps of Engineers (ACOE) recently planted about 50 acres of shrubs for CWTD habitat enhancement and JBH Refuge planted 16 acres of grasses/forbs this fall. We believe these habitat improvements should provide additional forage and help keep the relocated deer from moving off the island. We hope that more habitat improvement projects will occur in the future. When sufficient habitat improvements have been made to support a larger herd, the Service will consider moving more animals to Cottonwood Island.

Since the deer on Puget Island are not under immediate threat of flooding from the JBH dike, why is translocating deer from Puget Island being combined with the emergency translocation proposed in this EA?

Service Response: The translocation of CWTD from Puget Island to Cottonwood Island during late winter/early spring 2013 was planned prior to the need for the emergency proposal to translocate CWTD from JBH Refuge to Ridgefield NWR. To be more efficient, the Service combined these actions in the EA.

It is not clear why the funds needed for the emergency translocation of the deer are tied to relocating deer to Cottonwood Island if the recovery effort to move deer to Cottonwood was planned prior to dike erosion.

Service Response: The actions are separate, however, a portion of the funds that the Service will use for translocation to Cottonwood Island and Ridgefield NWR have been provided by the same source - the ACOE.

Does USFWS intend to locate enough animals to establish a unique subpopulation on Cottonwood Island?

Service Response: Cottonwood Island is considered secure habitat, and is considered part of Upper Estuary Islands subpopulation. These islands were all listed in the 1983 CWTD Recovery plan as potential sites for future translocations. Together as a unit, these islands make up a subpopulation that the Service is working towards increasing to a viable level of 50 animals. We don't anticipate that Cottonwood Island by itself would have a herd of 50 animals however we do anticipate future translocations to this site as habitat condition continues to be improved.

What areas were considered for translocating efforts, the criteria used to evaluate them and the comparative analysis used to eliminate them.

Service Response: Areas considered as possible translocation sites contained suitable habitat and are within the historic range of CWTD between the mouth of the Columbia River to the Dalles. Ridgefield NWR has been discussed for many years by the CWTD technical team as a possible site for a translocation. Ridgefield NWR contains large tracks of upland, dominated by grassland and hardwood, particularly oak. The Refuge also contains large areas of dry soils above flood levels. All of these habitat areas are unlikely to become inundated by flood events, and therefore will provide secure habitat over the long-term for CWTD. The specific units at Ridgefield that were chosen for release sites were identified through a habitat assessment (USFWS 2012¹). Furthermore, due to the emergency nature of this action, it was determined that translocating deer from JBH Refuge to Ridgefield NWR could be accomplished in the shortest amount of time.

Please provide any comparative GIS analyses of landcover, habitat types, open water, flood risk and inundation scenarios, suitable CWTD habitat, and proximity of suitable habitat to transportation corridors that was used in formulating alternatives.

Service Response: A GIS analysis of CWTD habitat along the Columbia River is currently being developed. No GIS analysis was utilized during the preparation of the Draft EA for the emergency action.

The EA states that some deer translocated to the Ridgefield NWR are expected to disperse beyond refuge boundaries. What is the extent of the expected range of dispersion in the near term (to 12 months) and long term (5 to 10 years)?

Service Response: Based on prior moves, we would anticipate the majority of CWTD to disperse only a short distance from the release site, however as stated in the EA it is possible that some deer will disperse outside the boundaries of Ridgefield NWR. All deer moved in this translocation will be radio collared and the Service will continue to monitor deer movement into the future (See Section 4 Monitoring). Once the deer set up their home ranges in the Refuge, it is unlikely that they will expand much beyond the Refuge and adjacent lands. If the population increases over time, some dispersion by future generations into suitable habitats surrounding the refuge is possible. The extent and rate of this is unknown at this time, but prior translocations have resulted in population dispersion to specific small areas with low overall density.

Did the Karlson Island dike breach result in the "elimination" of all CWTD or did some move to adjacent islands or the mainland? If the dike was repaired, did CWTD move back to Karlson Island or did the JBH Refuge staff need to relocate deer there.

Service Response: No relocation efforts were able to take place prior to dike failure on Karlson Island. Approximately 8-12 CWTD existed on the island prior to dike failure. None of the deer on the island were radio collared therefore the Service could not track their fates. The dike on Karlson Island was not repaired; therefore, little suitable habitat remains to support a population of CWTD.

Recommend that the sex ratios of males to females and age ratios for adults to juveniles be clearly identified prior to any capture and translocation operations.

Service Response: The Service has identified the sex and age ratios in the Final EA.

Concern was expressed that the prolonged capture period and translocation of small groups may result in a decreased probability of success.

Service Response: A translocation effort of this scale (number of deer, techniques utilized, and prolonged capture period) has never been attempted before. Under this emergency action, the Service has used the best available science to develop a plan that minimizes capture mortality and increases the probability of translocation success at Ridgefield NWR. We will monitor the deer to determine the translocation success and we expect translocation to far exceed the survival rate of the deer if the dike fails and JBH Refuge is inundated by water.

Please provide documentation of each separate translocation technique, monitoring and implementation reports from the last decade of translocation efforts and demonstrate that USFWS is selecting the least damaging alternative.

Service Response: This information was summarized in the Draft EA and was based on monitoring reports from 1996-2012 (USFWS 2012²). The Service is recommending capture techniques with the least amount of mortality be utilized first. Most of the deer would be moved by ground capture and vehicle transport. Ground capture techniques would include drop netting, drive netting, and darting. Deer would be transported in specially made crates by vehicle and boat. The Service would also conduct helicopter capture after March 1 if ground capture methods have not achieved half of the intended goal.

The EA states that the USFWS anticipates acceptable post-release survival. What are the benchmarks (e.g., post-release survival rate) by which success or failure of this translocation project would be measured?

Service Response: Adult survival in a natural population is about 85% per year. This means that if nothing is done, the best case scenario for the deer is 15% mortality. Given the likelihood of a dike breach, the mortality of deer that stay at JBH is likely to be much higher (probably in the 50% range). Overall success will be determined by whether a self-sustaining population can be established. The EA outlines best and worst case scenarios of prior translocation efforts and the Service has provided rationale for why it expects mortality to be on the low end of that range. Putting any CWTD at risk is a decision that the Service has not taken lightly. The Service has designed this emergency translocation to use capture techniques that are both efficient and result in low mortality and has chosen the release sites to provide the best available chance for survival.

The translocation and sedation methodologies do not go into enough detail to be adequately evaluated. Please provide a more robust translocation protocol.

Service Response: The EA describes these methodologies in Chapter 2 and 3 under Alternative B. The EA adequately addressed the translocation and sedation methods for National Environmental Policy Act (NEPA) compliance purposes. Capture and monitoring protocol for this translocation have been drafted and will be further developed with assistance from Cowlitz Indian Tribe, WDFW and ODFW.

The translocation has a significant positive effect on the persistence of CWTD.

Service Response: The Service disagrees. Currently we have two stable and secure subpopulations of CWTD: JBH Mainland Unit and Tenasillahe Island. Due the risk of dike failure at JBH Refuge approximately half of the population of CWTD will be translocated to Ridgefield NWR. As a result, the JBH Mainland population will drop below 50 animals, and would no longer meet the Recovery Plan's definition of viable. The Service hopes to find a solution for the dike at JBH Refuge and rebuild the levels of CWTD over time but until that happens this subpopulation is still at risk. Furthermore, the deer at Ridgefield NWR will need to be monitored over time to see if it will become a self-sustaining population. Thus, we view the translocation project as maintaining the recovery status of CWTD at a level that is similar to the current status.

Will darting be part of the capture techniques used during this translocation?

Service Response: Yes, darting will be utilized and we hope that the Cowlitz Tribe will partner with the Service to conduct these activities.

We believe greater effort and time should be spent using more benign methods such as darting and drop netting early in the project.

Service Response: The Service agrees. Although the Service used helicopter capture almost exclusively during past translocations, we will primarily utilize the techniques with the lowest mortality rates including drop netting, drive netting and darting. Furthermore, we have increased the number of days per week from three to up to five days. Because of the emergency nature of this action, if ground capture methods have not achieved half of the intended goal by February 22 then the Service will utilize helicopter capture techniques.

4. Monitoring:

Would the deer be tagged and/or radio-collared to determine survival rates and/or post-release movement patterns?

Service Response: All adult deer will be fitted with radio tracking devices which will help determine the location of each animal. Furthermore, all deer, including yearlings, will have ear tags that will help differentiate translocated deer from resident black-tail deer. Deer monitoring would entail both visual observation and tracking of the deer by radio telemetry.

Recommend that the monitoring occur not less than once per week for the first year post-release. Monitoring at a lower intensity level, once per month, should continue for the next 2-5 years.

Service Response: The Service agrees. We will monitor the translocated animals at Ridgefield NWR three times a week during the capture period and 1 month post release. We will monitor at least once per week for the next six months and 2-4 times per month for the remainder of the year. Monitoring once per month will continue for the next 2-5 years, funding permitted.

Recommend that a jointly developed Service, ODFW and WDFW CWTD monitoring plan be completed prior to initiation of any relocation efforts.

Service Response: The Service agrees and a joint monitoring plan will be developed. Due to the emergency nature of the action this joint plan may not be completed prior to initiation of relocation.

5. Recovery Efforts:

It is important to keeping this emergency relocation effort separate from Recovery; it appears from the EA that USFWS is tying these two together. This emergency relocation effort is not the vehicle for this and shouldn't circumvent the 5-Year Status Review recommendations.

Service Response: The Service agrees that the emergency relocation is not the vehicle for recovery nor is it intended to circumvent the recommendations provided in the upcoming 5-Year Status Review. Although the actions outlined in the EA are separate, any translocation to improved habitat will, by default, further recovery efforts. This translocation is prompted by an emergency and is only being conducted at this time because of the imminent dike failure. However, because the translocation will provide secure habitat for up to half of the currently at-risk JBH Mainland subpopulation, the action may inevitably contribute to recovery of the DPS.

In addition, this EA also describes the translocation of CWTD to Cottonwood Island. This is a recovery action and it is appropriate to describe and consider those aspects within the EA.

The translocation of CWTD to the Ridgefield Refuge will lead to a secured population of deer but the viability of the population will need to be assessed over time. Stating that the Ridgefield Refuge population is both secure and viable is not accurate at this time.

Service Response: The Service agrees. While the Ridgefield population would be considered secure, we will need to monitor this population over time to determine if it is considered viable. Changes have been made in the Final EA.

This EA has not addressed if any other deer species residing at Ridgefield would compete for resources or interbreed with the CWTD. Please provide a population estimate of current ungulate species on the refuge and surrounding dispersal-potential lands, and address the carrying capacity of those habitats. How is USFWS going to treat the resulting hybrid deer?

Service Response: Possible effects on black-tailed deer are discussed within the EA, and effects of resident black-tailed deer on the CWTD population potential is considered in the habitat assessment. Black-tailed deer prefer denser forests for cover and forage; this habitat is not well represented at Ridgefield NWR. Although black-tail deer numbers are not monitored at Ridgefield NWR, given the lower quality of habitat for that species in the area we do not anticipate a high density of these animals on site. This is supported by the low number that are observed by refuge staff. Therefore we do not anticipate significant resource competition for

CWTD. Furthermore, due to the low numbers of resident black-tail on site and the evolutionary preference of animals to reproduce with their own species, the likelihood of hybridization is relatively low.

Will those hybrid animals be considered part of the listed CWTD population?

Service Response: Yes they would be considered part of the listed CWTD population.

We request a copy of the Biological Assessment and Biological Opinion with Ecological Services, and if appropriate, the same for the proposed dike repair with NMFS and USFWS. We do not agree that the proposed action is not likely to adversely affect listed species, specifically with regards to Columbian white-tailed deer and the high likelihood for deer mortality related directly to translocation.

Service Response: Subsequent to the release of the Draft EA, the effects determination for CWTD was revised to *May Affect, Likely to Adversely Affect*. The Service conducted a formal Intra-Service section 7 consultation and a Biological Opinion was written on the proposed action. A copy of the Biological Assessment and Biological Opinion with Ecological Services for the emergency relocation of CWTD from JBH to Ridgefield can be found on our website www.fws.gov/jbh. No assessment or opinion for repairing the dike has been written because Wahkiakum County Diking District #4 does not have the funds to repair the dike. Furthermore, the ACOE's proposal to build a setback dike on JBH Refuge has not been approved by the District or the County (See Section II 10 below).

Are the proposed translocated deer being considered for an experimental population as defined under section 10(j) of the Endangered Species Act and in 50 CFR 17.80?

Service Response: This emergency response did not allow for the extended period of time that would be required for any formal rulemaking under the Administrative Procedures Act, including the development of a 10(j) rule. The introduction of an experimental population can be a very effective tool for enhancing the recovery of listed species and is therefore under consideration by the CWTD technical team as part of future recovery activities.

6. Ridgefield NWR:

Will the presence of translocated CWTD on the Carty Unit cause USFWS to alter the public's use and access to the Carty Unit from what it is currently?

Service Response: As stated in the Draft EA, the Carty Unit would be closed during the initial translocation period to allow a settling time for the deer. The time period of release is during the lowest visitation of the year, when much of the Carty Unit is inaccessible and closure during this time is not expected to have an effect on this unit. Depending on post-release distribution of CWTD, free-roam access to the Carty Unit may be closed during early fawning season (June 1–July 15) until the deer population stabilizes (the first 2–3 years). Visitors would still be able to access the trails in this unit, but off-trail use would be prohibited. This is not expected to significantly change visitation, as this area remains wet until July, and most access during this time is on the trails. The Service has not proposed changes to existing wildlife-dependent recreation at any other site. Under this alternative, a new species would be added to wildlife viewing at Ridgefield NWR. Viewers who are interested in seeing endangered species would be able to include CWTD in their viewing efforts.

The designated use of the Carty and Roth units (recreation and hunting) is in direct conflict with conserved habitat for endangered species.

Service Response: The mission of the National Wildlife Refuge System (NWRS) is to administer a national network of lands and waters for the conservation, management, and, where appropriate, restoration of the fish, wildlife and plant resources and their habitats within the United States for the benefit of present and future generations. This proposed action is compatible with the NWRS mission. We disagree that wildlife use on the Carty and Roth units are in direct conflict with habitat for endangered species. The deer do quite well even when surrounded by a variety of human impacts. For instance, the deer population on Puget Island, Washington is doing very well in an area urban area of homes, farms, hunting, fishing and a variety of other human activities. The key is to allow the deer some escape habitat to allow them to move away from any activities they are threatened by. We would anticipate Ridgefield NWR has a much lower disturbance factor than Puget Island so we would expect them to do very well under those circumstances. Also, there is no hunting permitted on the Carty and Roth Units of the Refuge.

Concern was expressed that if deer were to disperse off Ridgefield NWR the likelihood of deer/vehicle or deer/BNSF rail collisions could occur.

Service Response: It is difficult to anticipate or predict mortality of these translocated deer. Ridgefield NWR currently supports a population of black-tail deer and occasional deer/car collisions and deer/train collisions do occur. In the last year, we have observed one black-tail deer/car and two deer/train collisions near the Refuge. Black-tail deer are more numerous,

widespread and utilize different habitats than the proposed CWTD population, so collision rates for CWTD should be considerably lower. Monitoring the translocated deer is part of the emergency action, therefore if vehicle collisions become an issue the Refuge will consider vegetative screening and possibly some fencing in certain areas of the Refuge to reduce these collisions to protect both the deer and the public.

We have no estimates of deer/car collisions on the I-5 corridor, but will be tracking individual animals affixed with radio collars following the translocation. If significant numbers are using the road corridors, the Service will work with the appropriate Washington Department of Transportation and landowners to find ways to reduce collisions and protect public safety. The Refuge is coordinating with the Service's Ecological Services Office to relay our concerns about increase railroad traffic, the possible effects on CWTD, and ways to reduce these effects.

Concerned about the greater density of urban interface within the Refuge when compared with the environment now hosting this population. Additional description of the surrounding developed environment (streets, population, etc.) is needed to give readers and decision-makers a better understanding of potential conflicts (impacts) between the newly introduced species (CWTD) and current inhabitants and their activities.

Service Response: Surrounding land uses are described in Section 3.8 the Final CCP for Ridgefield NWR (USFWS 2010²). Four of the five units of the Refuge are bordered by rivers on east and west sides. East of Lake River is a mostly steep-sided climb to the Burlington Northern (BN) rail corridor (with about 70 trains per day) or lowland subject to flooding at the southern end, with rural character and farm/ranch operations opposite the Roth and Ridgeport Dairy units. Fazio Brothers own the property to the south as crop, grazing and sand operations. The River S unit has more housing development east of the rail corridor at the south end and the town of Ridgefield with a small downtown business district at the north end. McCuddy's Marina and the Port of Ridgefield (POR) have waterfront between Lake River and the BN rail corridor west of town. The Carty Unit is immediately north of the POR property, with all but the office area and a small portion of Gee Creek situated west of the BN rail corridor. The Morgan family owns the remaining area north of the Carty Unit to the Lewis River and operates it as a tree farm and livestock grazing.

Ridgefield is touted as small town atmosphere, with much of "Old Town" and adjacent residential area having a rural flavor. There is large-scale housing development planned for the area from Old Town to the I-5 interchange, where much of the new business development is planned. Much of the area east of the Carty Unit is zoned 5-acre minimum which equates to low density housing. The Port of Ridgefield has upscale development plans for the waterfront area south of the Carty Unit. North Main Avenue north of the city limits where the Carty Unit entry

is located is a two-lane road with no shoulder, yet local residents typically jog, walk dogs, and push baby strollers on the pavement.

When determining translocation sites the primary objective is to bring the deer to suitable habitat where they can survive and thrive rather than decline to a population that is not sustainable. As stated above and below, the areas selected on the Carty and Roth Units have suitable food and cover to support this emergency translocation of deer. As with black-tailed deer that already inhabit the area, if Columbia white-tailed deer should disperse off refuge to the north or east they would be expected to utilize preferred habitat that could include larger open pastures and shrub or forested cover associated with greenbelts rather than pavement and higher density housing that has sprung up with Ridgefield's population growth.

Please quantify CWTD suitable habitat availability at JBH Refuge compared to Ridgefield NWR. Please include a discussion if fences, roads or other potential barriers are present between tracts of suitable CWTD habitat.

Service Response: As stated in the habitat analysis (USFWS 2012¹): “Most of the CWTD habitat at the Ridgefield NWR is located in the Carty and Roth Units. The Carty Unit contains about 600 acres of the highest quality habitat. This area supports a mixed deciduous habitat with a desirable mix of cover, browse, and forage. The understory provides room for movement with a moderate density of browse, including red-osier dogwood (*Cornus sericea*), willow (*Salix spp.*), and snowberry (*Symphoricarpos albus*). Himalayan blackberry (*Rubus armeniacus*) grows in some openings and along the roadway. While dense stands of blackberry can impede movement, it also is one of the most important browse species for deer on JBH and should provide an additional food source. The area contains some reed canary grass, but it is generally moderate to sparse, with upland meadows supporting a variety of edible grasses and forbs, such as orchard grass (*Dactylis glomerata*), perennial ryegrass (*Lolium perenne*), tall fescue (*Festuca arundinacea*), birdsfoot trefoil (*Lotus corniculatus*), and buttercup (*Ranunculus sp.*). This area also contains large areas of dry soils above the normal flood level. In addition oak savannah comprises a significant portion of the unit. This not only ensures a desirable amount of cover and forage, it should produce a moderate amount of mast during some years. The habitat in this area is probably superior to that seen on the JBH Mainland.

The Roth Unit supports scattered stands of dense deciduous trees and open meadows and contains approximately 610 acres of moderate quality CWTD habitat. Within the eastern portion of the unit, there is a high concentration of ash (*Fraxinus spp.*) with a dense understory of dogwood, willow, and snowberry. The western portion of the unit also supports an ash overstory, but the understory is dominated by dense invasive reed canarygrass and little tree or shrub regeneration is present. A 50 yard strip of riparian cottonwood forest with a moderately

dense understory of native shrubs extends along the Columbia River. The topography consists of fingers of high ground separated by swales. These swales are often wet during the winter months but support dense invasive reed canarygrass stands during summer and fall. The area contains abundant browse and forage but the limited forested acreage, high density understory and the high canopy cover make this area somewhat less desirable than the Carty Unit. Still the area contains enough openings and mixed deciduous habitat that it should support a moderate to high density of deer. This habitat is probably equal to or slightly better than that seen on the JBH Mainland.”

No complete barriers to CWTD are present at Ridgefield NWR, though many of the barriers are likely to deter CWTD from moving into adjacent areas. Barriers to CWTD movement at the Ridgefield NWR include waterbodies like Lake River, Bachelor Slough, the Columbia River, and Campbell Lake, as well as dense stands of Himalayan blackberry and low fences along the railroad right-of-way.

Please make public the habitat analysis mentioned in the EA that was used to formulate the ESA consultation and any supporting documentation used therein.

Service Response: The habitat analysis for Ridgefield NWR (USFWS 2012¹) has been added to our website.

What evidence, studies, or data does the USFWS have that indicates this translocation effort would be successful at the Ridgefield NWR?

Service Response: In addition to a habitat assessment, there have been successful relocations of CWTD to other similar lower Columbia River habitats (Wallace, Crims, Tenasillahe). While the habitat at Ridgefield could use additional cover it remains good deer habitat and we expect that the deer will do well there without any additional habitat modifications. If funding permits, additional riparian site plantings could provide even better cover/feed for the deer.

Have improvements been made to the Ridgefield NWR since the species was displaced that now make the area more suitable for long-term survival?

Service Response: Ridgefield NWR contains approximately 1,200 acres of habitat suitable for CWTD, primarily in the Carty, Roth, and Bachelor Island Units. Included is 900 acres of areas of higher ground or diked units that would provide refuge during high water events,

forest/woodland with dense shrub layers for cover and forage, and oak woodlands for cover and acorn production. Ridgefield NWR has been restoring riparian forest and oak woodland habitat through plantings and invasive species removal annually for the past 8 years and hopes to expand this effort as funding becomes available. In addition, if deemed necessary for long-term survival, Ridgefield NWR could develop and implement a predator control plan to help increase fawn survival rates over time (See Response Below).

Please provide a population estimate of coyotes and other potential predators, especially of fawns. Please provide a detailed management plan for coyote control including cost estimates and impacts to Refuge management budgets, as well as cost estimates to control predators on private lands where deer are expected to disperse.

Service Response: The two predators that occur at Ridgefield NWR include coyote and golden eagle. Although coyote surveys have not been conducted, it is known that the Refuge supports a population of coyotes that may have an impact on CWTD numbers. It is not known whether the impact will be significant since there are so many different food sources for coyotes (grassland birds, voles, cottontail rabbits, reptiles, waterbirds, etc.). Following the release of the translocated CWTD, we will monitor both the deer and the fawn production. If the Service determines that predator control is needed, we will develop a predator management plan for Ridgefield NWR. This plan will contain information on the various control options, as well as environmental triggers that would cause the Service to implement the various options.

Golden eagles are present in low numbers (usually 1 or 2) most years during the winter months. They occur primarily on Bachelor Island while most of the CWTD would be released onto the Carty and Roth Units. Also, by the time golden eagles migrate to the Refuge (usually December to March), the fawns are grown and not likely to be susceptible to predation by eagles. We do not anticipate needing to control golden eagles.

Costs to control predators and impacts to refuge budgets will be determined if and when the predator management plan is developed. The Service does not expect to control predators on private lands

Are any of the other animals in danger if the deer come here? Or will the impact be too great for the birds? I see no reason not to welcome another wild creature if the current residents will not be negatively harmed.

Service Response: The Service does not anticipate any negative impact on other native mammals, birds, or fish. Impacts to other refuge species and habitats are addressed in the EA document under Alternative B.

Assessment of the Ridgefield Refuge to support at least 77 CWTD seems to be a relatively small population.

Service Response: The 1983 Recovery Plan explained that a viable population of CWTD is comprised of 50 individuals, including 32 adults. This number represents our best estimation at the number of animals necessary to sustain a long-term herd. The habitat assessment at Ridgefield concluded that there is adequate suitable habitat (over 1,200 acres of high and moderate quality habitat) to support a viable population as well as additional animals (USFWS 2012¹). The habitat assessment provides a conservative number of deer that Ridgefield NWR can support with no additional habitat improvements. The effect of competition from black-tailed deer on CWTD is unknown. Black-tailed deer surveys have not been conducted in the Ridgefield area, but the current density of black-tailed deer is thought to be low at the Refuge (A. Chmielewski, USFWS, Ridgefield, WA). The habitat analysis reduced the expected CWTD numbers by 30% to account for black-tailed deer effects. If these effects do not occur or additional habitat improvements are made, then Refuge could support at least 100 deer.

The Ridgefield Refuge seems to have conflicting objectives in regards to the establishment of a CWTD population. Fully one third of the area is managed for wetlands and water is pumped to provide waterfowl hunting. How will land use management be changed or managed with the addition of an endangered species at Ridgefield?

Service Response: Most National Wildlife Refuges are managed to meet multiple objectives. It is true that Ridgefield NWR's primary purpose is to provide habitat for geese, cranes and migratory waterfowl and to provide public recreation opportunities. However, significant areas of the Refuge are not suitable for goose, crane, or waterbird management. We manage these lands for other wildlife such as songbirds, raptors, reptiles, amphibians, and now CWTD. The Refuge does not plan on converting wetlands or pastures that are currently used by geese or cranes to CWTD habitat. All waterfowl hunting and a majority of the water pumping on the Refuge occurs in the River S Unit. There are no plans to translocate CWTD to this intensively managed unit where public use is a high priority. The Roth and Carty units have more forested habitats where wetlands have fluctuating water levels associated with river levels. Some pasture management continues at these units, but a majority of the acreage is subject to seasonal flooding with sanctuary and habitat maintenance or restoration of woody components a higher priority.

Will the Service conduct a feasibility study to determine if indeed, the Ridgefield NWR is an appropriate location for a new subpopulation?

Service Response: The Service believes that Ridgefield NWR is an appropriate location for CWTD. The Refuge is located within the CWTD's historic range, has suitable habitat and if the population is determined to be viable (self-sustaining) this subpopulation could help to recover the species.

Ridgefield NWR's CCP (USFWS 2010) states a study to determine the feasibility of establishing a population of CWTD on the Refuge would be conducted. The study will evaluate: whether the Refuge has enough appropriate habitat to support a self-sustaining CWTD population; if establishing a population of CWTD would conflict with managing for Refuge purposes; and if habitat management for Refuge purposes species and priority resources of concern will also meet the needs of CWTD. Much of this analysis was done through the EA and the habitat assessment. Current habitat management for purposes species, and habitat management proposed in the CCP, will support a mix of habitats suitable for CWTD. The major issues of concern associated with a reintroduction are: dispersal of deer onto adjacent private lands; presence of predators that could cause undesirable levels of fawn mortality; and the lack of connectivity between the Refuge and other suitable habitat, leading to an isolated subpopulation.

A preliminary habitat evaluation was conducted (USFWS 2012¹) and the Service believes that Ridgefield NWR has enough appropriate habitat to support a self-sustaining population of CWTD. The animal damage management strategy is currently being developed by the Service, WDFW, and ODFW to address damage that may be caused by dispersal of deer onto private lands. If needed, undesirable levels of fawn mortality occur, a predator management plan may be developed in the future. Even if a lack of connectivity between the Refuge and other suitable habitat exists, establishing a secure subpopulation on Ridgefield NWR would increase the deer's range and numbers above the minimum recovery goals will reduce the risk of catastrophic losses to disease and floods.

When will the CCP be updated to reflect such changes?

Service Response: The Service has no plans to update the CCP for Ridgefield NWR at this time. The Ridgefield CCP states that one action that is potentially applicable to management of the refuge is "Transplant CWTD to establish new subpopulations within their historical range." Ridgefield NWR is within the historic range of CWTD and has been proposed as a potential transplantation site.

7. HUNTING:

Please don't allow hunting of the deer.

Service Response: CWTD are listed as an endangered species under the Endangered Species Act; therefore, it is not legal to hunt this species.

Please address potential conflicts in designated use of public recreation and hunting at Ridgefield NWR with CWTD.

Service Response: As stated in the EA, the portion of the Carty Unit designated as “free roam area” would be temporarily closed during the initial translocation period to allow a settling time for the deer. The time period of release is during the lowest visitation of the area due to the inability to access that part of the Refuge because of flooded trails. This temporary closure is not expected to have an effect on the level of public use to this portion of the Unit. Depending on post-release distribution of CWTD, the “free-roam” access to the Carty Unit may be closed during early fawning season (June 1–July 15) until the deer population stabilizes (the first 2–3 years) or the public use designation of the Unit will be changed to established seasonal trail use. This is not expected to significantly change visitation or the experience but the Service must evaluate the compatibility of the public use with those of the needs of wildlife. No changes would be made to allowable recreation at any other Unit. Under this alternative, a new species would be added to wildlife viewing at Ridgefield NWR. Viewers who are interested in seeing endangered species would be able to include CWTD in their viewing efforts.

Concern was expressed that hunters pursuing black-tailed deer may accidentally harvest a CWTD in the area where these two species overlap. What measures will be taken by the USFWS to address this situation?

Service Response: Hunters have been discriminating between legal-to-hunt blacktail deer and protected CWTD for decades. Currently there are many hunting seasons in both Washington and Oregon that require hunters to clearly identify deer species.

Deer hunting is not allowed on Ridgefield NWR and the likelihood that a black-tail hunter will accidentally harvest a CWTD off Refuge is very low. The Service will develop outreach information to provide education on proper identification of the species for the public, including neighboring landowners, visitors to the refuge, and hunters. This education effort should further minimize the potential for accidental harvest of CWTD.

However, if a hunter does accidentally shoot the protected species he should immediately contact the USFWS or WFDW so an investigation can be conducted. The Service's Office of Law Enforcement (OLE) will evaluate cases where CWTD are accidentally killed or injured during otherwise lawful activities on a case by case base. The OLE will exercise investigative discretion and not make any prosecutorial referrals for the taking unless circumstances documented during an investigation substantiate evidence that would support such a referral. The Service's OLE is guided by the

Department of Justice (DOJ) Policy known as the McKittrick Policy. The Policy places a requirement on the Service to show (prove) a person knew the identity of the animal (in this case a CWTD) at the time the animal was killed in order to pursue a criminal prosecution under the ESA.

Concern was expressed that any reduction in hunting opportunity from new regulatory conditions as a result of translocating an endangered species will affect both the commercial value of hunting and the impacts to seedlings.

Service Response: Timing and location of hunting opportunities for licensed hunters will not be affected by the proposed action. The hunters will, however, need to be properly informed of the presence of CWTD in the area, how to distinguish between black-tail deer and CWTD, and the ramifications for harvest of CWTD. The proposed action provides the mechanism for this education.

8. Depredation/ Animal Damage Management:

We are pleased that the USFWS is contracting with Wildlife Services (USDA APHIS-WS) to respond to CWTD questions and damage complaints after the translocation effort given we had concerns that appropriate responses would be available to landowner concerns about agriculture and crop damage from ESA listed species.

Service Response: Comment noted. In addition to contracting with U.S. Department of Agriculture-Animal and Plant Health Inspection Service – Wildlife Services (APHIS-WS) to work with anyone with CWTD questions or damage complaints, the Service would also provide a permit to WDFW or ODFW, if they so desire.

There were several comments and questions about the specifics of the animal damage management (ADM) strategy for landowners near the Ridgefield NWR.

- *When would the ADM be finalized following receipt of comments?*
- *What type(s) of hazing and non-lethal removal would be authorized?*
- *Who would be allowed to administer hazing?*
- *Would any form of hazing (harassment) be considered a “take” under the Endangered Species Act (ESA), if so which ones?*
- *Would a “take” permit need to be issued to individuals for hazing activities?*
- *Will USFWS outline protections to be put in place and outline procedures for removing problem deer with funding attached?*
- *USFWS should provide increased support for damage control for adjacent landowners.*

Service Response: A summary of the animal damage management (ADM) plan was included in the Draft EA. The Service will be developing a detailed ADM Plan in coordination with ODFW and WDFW to ensure compliance with State regulations as soon as possible. This plan will include a strategy for capture and relocation of problem animals, and will clarify the role of Wildlife Services in assisting landowners in both Washington and Oregon.

Animal damage management for the relocated deer will be dealt with in a couple of ways. The Service will contract with APHIS-WS to follow-up on reported animal damage issues. The proposal with APHIS will implement four levels of management. 1) Outreach; 2) Information and Advice; 3) Lending of Special Equipment 4) Trapping and non-lethal removal of problem animals. If a landowner has a problem with a relocated deer we would expect that an APHIS-WS technician would be onsite to help mitigate damage as soon as possible. APHIS-WS is well staffed in the area and should be able to respond quickly to problems in both Washington and Oregon.

As an endangered species, CWTD are protected by the ESA from any effort to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect or to attempt to engage in any such conduct. The Service plans to provide wildlife damage support through the trained professionals of APHIS-WS. The types of hazing potentially include propane canons, ultrasonic noisemakers, fencing, liquid deterrents, and flagging. If hazing is not effective, the problem deer will be trapped and relocated. Hazing and trapping will be done by APHIS or other designated agencies in coordination with USFWS and under Incidental Take Permits (ITP) currently being developed by USFWS. Hazing done without an ITP could be considered “take” of endangered species under the Endangered Species Act. Your best option is to contact APHIS-WS for assistance.

Why is APHIS handling complaints instead of WDFW and ODFW?

Service Response: The Service is contracting with APHIS-WS at the request of the States. The Service would provide a permit to WDFW or ODFW, if they so desire.

It is unreasonable for landowners/farmers to plant unpalatable or noxious plants, we have to plant crops that we can sell. It is unreasonable for us to change crops.

Service Response: The Service agrees that it is unreasonable for landowners to plant unpalatable or noxious plants or to change crops because of the relocation. The EA cannot and does not stipulate what crops should be planted by private landowners.

It is already unpopular from neighbors to use propane cannons and other loud devices and any farmer will tell you that wildlife will get used to it and it will become ineffective.

Service Response: Since a variety of animal damage management strategies will be implemented if one strategy is ineffective or is unpopular, additional options can be used.

It is unreasonable that no lethal action will be permitted if these animals trespass onto private property. Make it mandatory that these deer stay on the refuges!

Service Response: Because the CWTD are on the endangered species list, at present they cannot be removed from unwanted areas by lethal methods. The timeframe associated with the emergency translocation does not allow us to develop tools that would allow lethal take (i.e. a 10(j) experimental designation). It is also not practical to fence the entire 5000 acre Ridgefield NWR to keep the deer from leaving, however the Service is committed to working with adjacent landowners and APHIS-WS to implement ADM as necessary.

Farmers/landowners need be able to haze/harass these animals to protect their crops at any and all times if they are on property they control.

Service Response: As an endangered species, CWTD are protected by Federal law from any effort to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect or to attempt to engage in any such conduct. Strategies for dealing with animal damage issues must be covered under a special permit (10(a)(1)(A)) which outlines in detail what can be done, who can do it etc. It is not practical to cover a multitude of individual landowners with such a permit. The Service will contract with APHIS-WS for ADM; special funding has been designated for this purpose. APHIS-WS is in the process of applying for 10(a)(1)(A) permits in order to conduct these ADM activities, and they work with landowners on a case by case basis to deal with CWTD management issues. Your best option is to contact them for assistance.

What happens if one of these deer gets injured or dies when moved from a particular farm?

Service Response: As long as APHIS-WS is moving the animal, they will be covered for incidental take during ADM activities.

Wildlife Services does not have the funds/time to currently help with goose damage. How will they be able to take on this responsibility?

Service Response: The funding to deal with deer damage issues is specific to the deer relocation effort and is not related to goose management funding. We anticipate that there will be fewer calls regarding necessary ADM for CWTD compared to calls relating to geese. APHIS-WS is being funded by the Service to deal with deer damage issues. APHIS-WS has adequate staff to respond quickly to CWTD ADM calls in both Washington and Oregon.

Development and implementation of an Animal Damage Management (ADM) plan needs to be in coordination with ODFW and WDFW to ensure compliance with state regulations (i.e. harassment of wildlife is illegal in Oregon without a permit from ODFW). This comment applies to all sections of the Draft EA.

Service Response: The Service will coordinate with APHIS, WDFW and ODFW to develop a detailed ADM plan ensuring compliance with both Federal and State regulations.

The statement that "Advice will be given on physical deterrents, such as physical fencing, liquid deterrents, and noisemakers" will likely be ineffective for reducing deer browse or homing damage. In addition, the Service places all financial burdens on the landowner to purchase, install, monitor and maintain physical deterrents. Costs to respond to damage should be covered by the Service or costshared with the damage complainant.

Service Response: The Service understands that there are concerns regarding the potential for deer to damage to high value agricultural crops any will make every effort to anticipate where problems may occur and deter/move problem deer as soon as possible. The Draft EA lists several options to ensure the greatest possibility of success. As stated in the EA, in cases where extensive damage occurs, especially commercial damage, and deterrents do not work or are infeasible, it may be necessary to trap and move problem individuals. Deer will be either baited into drop nets or darted and removed from the area to a more remote location. Funding will be available for Service contractors to respond to deer damage issues; however it is possible the ADM plan may require some cost share help from landowners.

Establish a program that will be used to notify ODFW when CWTD have relocated into Oregon, which landowners are suffering damage from CWTD and what control measures are being implemented to control the damage.

Service Response: The Service will coordinate with APHIS-WS, WDFW and ODFW to develop a detailed ADM plan. The Service is committed to implementing outreach and education to help landowners to distinguish between black-tail and CWTD. If a landowner is suffering

damage to their property from a translocated CWTD, APHIS-WS will rapidly respond and implement ADM on a case by case basis. Deer locations will be monitored closely by radio telemetry and the appropriate state agencies will be notified of deer that have left the Refuge or Cottonwood Island.

To state that the previous translocation of CWTD to Cottonwood Island resulted in no animal damage complaints from Longview or Rainier residents is inaccurate.

Service Response: Comment noted. The Final EA has been modified.

All potential options available to improve the landowner\ ability to control CWTD damage should be provided. Examples include Experimental Population-10J designation, Incidental Take (Section 7), Safe Harbor Agreements, etc.

Service Response: The Service will work with our partners and interested parties to provide information on all potential options.

Any ADM plan prepared as a fundamental part of this EA should be included here for evaluation and review.

Service Response: A summary of the animal damage management (ADM) plan was included in the Draft EA. The EA adequately addressed ADM strategy for National Environmental Policy Act (NEPA) compliance purposes.

9. Potential Impacts to Other Projects

Ridgefield Rail Overpass

Does the USFWS expect the Ridgefield Rail Overpass project to have direct or indirect impact on CWTD translocated to the Ridgefield NWR?

Service Response: We would expect the Ridgefield Rail Overpass project to have very minimal if any impacts on the CWTD translocated to Ridgefield NWR. There are no noise or visual constraints which need to be implemented relating from construction work on the project. Due to human activity, we would not expect to have any CWTD present in the area and any deer that venture near the site would likely quickly depart for more suitable habitat. No take is expected and no monitoring or mitigation measures need to be implemented. No changes,

modifications, remediation or monitoring activities to the Rail Overpass project will need to occur due to the deer translocation.

Phase 1 of the Ridgefield Rail Overpass project is a permitted, funded (federally), and scheduled activity, and thus is part of the affected environment at the time of and subsequent to when CWTD are translocated to the Ridgefield NWR. The consequences of translocating CWTD (especially to the Carty Unit) on Phase 1 should have been done.

Service Response: Phase 1 was approved and NEPA completed for this project on March 24, 2008. CWTD was not present on the Ridgefield NWR, therefore the effects determination was assessed as “No effect” to listed species. Phase 2 of the project has not been proposed so at this time we have not made an effect determination and this will not be done until the next phase is submitted requesting consultation from the Service.

How many deer are anticipated to die in deer-train accidents while deer cross and or follow the Burlington Northern Santa Fe Railway (BNSF) mainline? Where are these deer-vehicle accidents anticipated to occur? If accidents do occur, what prevention/mitigation efforts are anticipated, or will be required?

Service Response: Ridgefield NWR currently supports a population of black-tail deer and occasional deer/car collisions and deer/train collisions do occur. In the last year, we have observed one black-tail deer/car and two deer/train collisions near the Refuge. Black-tail deer are more numerous and widespread than the proposed CWTD population so collision rates for CWTD should be considerably lower. All adult CWTD that are translocated to Ridgefield NWR will be affixed with a radio transmitter and ear tags and the deer’s location will be monitored on a regular basis. If CWTD are moving into areas where deer/train collisions are likely, the Service will work with the railroad to use techniques such as vegetation or fencing to deter the CWTD from crossing or using the tracks. Areas of concern would be sites where deer make regular crossings, or portions of the railroad right-of-way that the CWTD may regularly use to move between forage and bedding areas.

The Refuge is concerned about the potential for increased deer/train collisions associated with increased train traffic. We are coordinating with the Service’s Ecological Services Office to relay our concerns about increased railroad traffic, the possible effects on CWTD, and ways to reduce these effects.

Pacific Wood Treating Remediation Project

Does the USFWS expect the Pacific Wood Treating (PWT) remediation project to have direct or indirect impact on CWTD translocated to the Ridgefield NWR?

Service Response: The Pacific Wood Treating Remediation Project was completed and the site where the wood treatment plant was formerly located has been cleared. At the time of the consultation with the Service's Oregon Fish and Wildlife Office, no listed terrestrial species were present and a "no effect" determination was made.

Port of Ridgefield Waterfront Redevelopment Project

Will the presence of CWTD cause USFWS to object to the Port of Ridgefield's pending subdivision approval and proposed uses of the Port's property?

Service Response: The Port of Ridgefield Waterfront Development Project is in pre-planning stages with the intent to develop the area vacated by the Wood Treating Remediation project. No further planning has been conducted at this time, but at the time the project is proposed to move forward there may be a need to consult on the effects of this project to the CWTD that would be within the action area of the project.

10. Proposed Set-Back Levee at JBH Refuge:

What is the status of funding and planning for repairing the dike or building a setback dike?

Service Response: The Steamboat Slough dike was constructed in the mid 1920's by the U.S. Army Corps of Engineers (ACOE). The ACOE de-authorized the dike in the 1980's citing improper maintenance. As a result, the ACOE will not provide funding to repair the dike. Furthermore, ACOE will not provide funding for emergency flood protection on the Refuge.

Steamboat Slough Dike is owned by Wahkiakum County Diking District #4 (District) and Steamboat Slough Road located on top of the dike is owned by Wahkiakum County (County). Since the Service does not own the Steamboat Slough Dike, we have no authority to spend funds to repair it.

Since the fall of 2011, a variety of agencies including the Refuge, County, District, ACOE, Congressional staff from Congresswoman Herrera Beutler, Senator Cantwell and Senator Murray's offices and others have been meeting to look at potential funding options to protect the dike. Preliminary engineering costs to repair the dike are estimated to cost \$3-5 million dollars

depending on the type of repair work done. The District, County and Service do not have funding and no other funding has been secured to date.

The only viable source of funding that has been located from the ACOE's proposal to restore endangered fish habitat on JBH Refuge. This proposal includes building a new set-back dike on the Refuge that would protect the CWTD remaining on the JBH NWR after the translocation is completed in 2013, the mainland unit of the Refuge, and its \$25 million of facilities. This proposal, however, needs approval from both the District and County to allow the ACOE to breach Steamboat Slough dike/road to create approximately 100 acres of estuary after the setback levee is built. To date, no agreement has been reached and neither the District nor County has approved this proposal, Therefore there has been no request to the Service for consultation on this project.

An oversight agency should take the responsible Dike District to task for failing to maintain a potential catastrophic threat to the habitat of an endangered species.

Service Response: Comment noted.

If the setback dike is built, what will happen to CWTD on the JBH Refuge and Ridgefield Refuge?

Service Response: If the ACOE is given permission by the District and County to proceed, the majority of JBH Refuge would remain suitable habitat for CWTD. As funding permits, the Service could translocate additional CWTD to the Mainland Unit from Puget Island. However, the Service does not intend to bring translocated animals from Ridgefield NWR back to JBH Refuge. Ridgefield NWR population will be monitored and it is possible additional animals would be translocated there in the future.

The EA states that repair of the dike at JBH Refuge is not being considered as an alternative since the diking district does not have the funds for repair. However, a November 11, 2011 press release by US Congresswoman Jaime Herrera Beutler stated that funding for a temporary repair of the dike had been secured.

Service Response: The November 2011 press release applauds the Service for funding a temporary solution for dike repair. However, this solution was never fully implemented. It was initially thought that the Service could build a temporary setback dike immediately adjacent to Steamboat Slough dike while funding for the long-term solution was located. However, the

Service funded an engineering and geotechnical analysis of the area eroded on the dike and this analysis determined that the dike was in a state of imminent failure. Plans to build a temporary setback dike as indicated in this press release were not implemented as the analysis determined that placing material on the inside of the dike could cause a mass failure of the dike. In addition, as a result of the analysis, Wahkiakum County closed a section Steamboat Slough road.

11. Other Comments:

Move the USFWS jurisdiction of the islands that are currently part of JBH to the Lewis and Clark Refuge.

Service Response: Moving the jurisdiction of the islands that are currently part of the JBH Refuge to the Lewis and Clark NWR is outside the scope of this EA nor would it help CWTD.

Remove or substantially reduce the presence of USFWS from Wahkiakum County.

Service Response: This comment is outside the scope of the EA. The JBH Refuge was established in 1972 to protect and manage habitat for Columbian white-tailed deer. These lands were later purchased under the authority of the Fish and Wildlife Act of 1956 and the Endangered Species Act of 1973. All actions authorized by the Refuge must be consistent with the mission of the Refuge System and the purposes for which the Refuge was established. Furthermore, selling or redirecting the focus of the Mainland Unit of the Refuge would take an act of Congress.

The Service has not adequately consulted with the Cowlitz Indian Tribe regarding CWTD and this translocation proposal. The desired level of consultation from the Cowlitz perspective has never been limited to simple technical coordination like that conducted during monthly project development phone calls. Proper consultation should have included cultural consultation on the proposed project and species, such that the relevant information could have been included in the draft EA.

Service Response: The Service, Cowlitz Indian Tribe, WDFW, and ODFW have had monthly conference calls about CWTD since January 2012. As soon as the Service realized the depth of damage to Steamboat Slough Dike, we informed all of our partners. Since that time we have focused these calls on addressing questions and concerns from all our partners about the emergency translocation and development of the Draft EA. We have been informally consulting by means of the monthly coordination call and we have formally consulted as requested. The Final EA has been revised based on Cowlitz tribe comments and we have the additional information that was specified. The Service recognizes that the Columbian white-tailed deer is a culturally significant species to the Cowlitz Indian Tribe. The Tribe has been working with the Service to help recover the species for years. We hope that the Tribe is willing to share this

expertise and both skilled and volunteer manpower to help translocate the deer, and continue to be a valued conservation partner.

Please explain why the initiation of the NEPA process was delayed so long and the comment period established over the least opportune time of the year when the emergency had been identified so long beforehand.

Service Response: The NEPA process was not delayed, rather the NEPA process was started after deliberative planning and consultation with WDFW, ODFW and the Cowlitz Tribe whereby successful translocation strategies could be developed and environmental effects evaluated.

Please remove the statement "In addition, deer moved at this time of year tend to disperse less than those moved in the fall (Hawkins and Montgomery 1969, Pais, 1987 and Jones et al, 1997)" from the EA document as well as the references from the References section (as appropriate) because the statement is clearly not substantiated.

Service Response: Based upon the conclusions drawn from these references we believe that this statement is substantiated. Copies of these references are available from the Service upon request.

III. Outreach List

Tribes

William Iyall, Cowlitz Tribe
Taylor Aalvik, Cowlitz Tribe
Erik White, Cowlitz Tribe
Sam Robinson, Chinook Tribe

Federal Agencies

James Adams, US Army Corps of Engineers

State Agencies

Phil Anderson, Washington Department of Fish and Wildlife
Nate Pamplin, Washington Department of Fish and Wildlife
Sandra Jonker, Washington Department of Fish and Wildlife
Pat Miller, Washington Department of Fish and Wildlife
Joyce Mercuri, Washington Department of Ecology
David Palazzi, Washington Department of Natural Resources
Rick Keniston, Washington State Department of Transportation
Roy Elicker, Oregon Department of Fish and Wildlife
Ron Anglin, Oregon Department of Fish and Wildlife
Don Whittaker, Oregon Department of Fish and Wildlife
Don Vandeborgh, Oregon Department of Fish and Wildlife

Local Officials

Mike Bachman, Wahkiakum County Commissioner
Blair Brady, Wahkiakum County Commissioner
Dan Cothorn, Wahkiakum County Commissioner
Lisa Marsyla, former Wahkiakum County Commissioner
Phil Messina, Ridgefield City Manager
Steve Stuart, Clark County Commissioner

Organizations

Columbia Land Trust
Ducks Unlimited
Friends of Ridgefield National Wildlife Refuge
Friends of Willapa National Wildlife Refuge
Western Washington Waterfowl Association
Willapa Hills Audubon Society

Ridgefield NWR's Adjacent Landowners

Richard Fazio
David Morgan, Plas Newydd LCC
Burlington Northern Santa Fe Railroad
Brent Grening, Port of Ridgefield

Congressional Contacts

Shari Hildreth, Congressman Jamie Herrera-Beutler
Kimberly Pincheira, Senator Maria Cantwell
Katie Whittier, Senator Patty Murray

Media Contacted

Barb Aue, Editor South Beach Bulletin
Doug Barker, Editor Daily World
Steve Brown, Editor Gresham Outlook
Keely Chalmers, Reporter KGW-TV
John Dodge, Environmental Reporter, The Olympian
Loretta Hodgson, Publisher and Co-Editor Pacific County Press
George Kunke, Editor Willapa Harbor Herald
Grant McOmie, Environmental Reporter KGW-TV
Brian Mittge, Editor-In-Chief Chronicle
Bill Monroe, The Oregonian
Rick Nelson, Wahkiakum County Eagle
Tom Paulu, The Longview Daily News
Shari Phiel, Chronicle-Sentinel Mist
Dan Schreiber, The Chronicle
Darryl Swan, South County Spotlight
Matt Winters, Chinook Observer
Reflector

Newspaper Articles

The Longview Daily Newspaper Article December 3, 2012
http://tdn.com/mobile/article_b8fceb54-3db1-11e2-9837-0019bb2963f4.html

Wahkiakum Eagle Newspaper Article December 6, 2012
http://www.waheagle.com/news/article.exm/2012-12-06_usfws_proposes_emergency_move_of_refuge_deer

- The Chronicle December 3, 2012
http://www.thechronicleonline.com/news/article_ad193080-3d76-11e2-a9a4-0019bb2963f4.html?mode=image&photo=0
- KOIN TV Portland, OR News Segment - December 2012
- OPB January 17, 2013
<http://www.opb.org/news/article/n3-feds-to-relocate-rare-deer-threatened-by-failing-dike/>
- The Columbian January 17, 2013
<http://www.columbian.com/weblogs/fyi98642/2013/jan/17/workshop-on-relocating-white-tailed-deer-to-ridgef/>
- Wahkiakum Eagle Newspaper Article January 17, 2013
http://www.waheagle.com/news/article.exm/2013-01-17_fish_and_wildlife_service_sets_deer_transfer_workshops
- The Longview Daily Newspaper Article January 17, 2013
http://tdn.com/lifestyles/ridgefield-may-be-new-refuge-for-endangered-deer/article_81ec628c-60fe-11e2-81aa-001a4bcf887a.html
- The Chronicle January 18, 2013
http://www.thechronicleonline.com/news/article_91919bb8-61bb-11e2-839b-0019bb2963f4.html
- The Columbian January 19, 2013
<http://www.columbian.com/news/2013/jan/16/ridgefield-may-be-new-refuge-deer/>
- Newsletters & Websites
- Friends of Ridgefield NWR Newsletter December, 2012
<http://ridgefieldfriends.org/friends-of-the-refuge/newsletter/>
- ODFW Field Reports January 11, 2013
http://www.dfw.state.or.us/agency/commission/minutes/13/01_jan/January%202013%20%20Field%20Reports.pdf
- Cowlitz Indian Tribe Newsletter Fall 2012
http://www.cowlitz.org/docs/newsletters/2012/yooyoolah_2012_fall_edition.pdf

WDFW Wildlife Weekly

December 3-12, 2012

http://wdfw.wa.gov/about/wildlife_weekly/2012/wildlife_weekly_2012dec03.pdf

Refuge Websites:

Julia Butler Hansen Refuge for Columbian White-tailed Deer

<http://www.fws.gov/jbh/Planning/Planning.html>

Ridgefield National Wildlife Refuge

<http://www.fws.gov/ridgefieldrefuges/>

Willapa National Wildlife Refuge

<http://www.fws.gov/willapa/NEWS%20&%20EVENTS/NewsEvents.html>

Information Meetings

January 22, 2013 at Ridgefield Community Center in Ridgefield, WA

January 23, 2013 at Sauvie Island Academy in Sauvie Island, Oregon

IV. List of People and Entities That Provided Comments

1 Tribes

N. Reynolds & E. White, Cowlitz Indian Tribe

2 Federal Agencies

S. Hebert, U.S. Department of Agriculture, Animal Plant Health Inspection Service

3 State Agencies

D. VandeBergh, Oregon Department of Fish and Wildlife

S. Jonker, Washington Department of Fish and Wildlife

4 Organizations

D. Morgan, Plas Newydd, LLC

B. Grening, Port of Ridgefield

G. Starke, Vancouver Audubon Society

5 Elected Officials

D. Stose, City of Ridgefield

6 Interested Parties

B. Arnoldy

N. Cantrell

M. Gadotti, Gadotti Farming

S. Saul

S. Schill

D. Wilson

V. References

- USFWS. 2010¹. Lewis and Clark National Wildlife Refuge and Julia Butler Hansen Refuge for the Columbian White-tailed Deer comprehensive conservation plan and environmental impact statement. U.S. Fish and Wildlife Service, Willapa National Wildlife Refuge Complex, Ilwaco, WA. 505 pp.
- USFWS. 2010². Ridgefield National Wildlife Refuge Comprehensive Conservation Plan. U.S. Fish and Wildlife Service, Ridgefield National Wildlife Refuge, Ridgefield, WA. 701 pp.
- USFWS. 2012¹. Habitat suitability of Ridgefield NWR for Columbian White-tailed deer. USFWS report. Julia Butler Hansen Refuge for Columbian White-tailed Deer, Willapa National Wildlife Refuge Complex, Cathlamet, WA. 4 pp.
- USFWS. 2012². Report of activities for Columbian white-tailed deer, recovery subpermit WNWR-9 calendar year 2012. USFWS report. Julia Butler Hansen Refuge for Columbian White-tailed Deer, Willapa National Wildlife Refuge Complex, Cathlamet, WA. 9 pp.