

**U.S. FISH AND WILDLIFE SERVICE  
ENVIRONMENTAL ACTION STATEMENT FOR  
CATEGORICAL EXCLUSION**

The United States (U.S.) Fish and Wildlife Service (Service) is expanding hunting opportunities for species already hunted on the refuge to include an additional 100 acres for elk on Monte Vista National Wildlife Refuge (NWR) in accordance with the San Luis Valley NWR Complex Migratory Game Bird, Big Game, and Upland Game Hunting Plan (2015).

Within the spirit and intent of the Council on Environmental Quality's regulations for implementing the National Environmental Policy Act (NEPA) and other statutes, orders, and policies that protect fish and wildlife resources, I have established the following administrative record and determined that the following proposed action is categorically excluded from NEPA documentation requirements consistent with 40 Code of Federal Regulations (CFR) 1508.4, 43 CFR 46.205, and 516 DM 8.5.

The Service has fully satisfied the other requirements for expanding these opportunities on the refuge, including:

- ✓ determining that the opportunities are compatible with the purposes for which the refuge was established and the mission of the National Wildlife Refuge System (see the compatibility determination);
- ✓ ensuring the opportunities are consistent with existing state, local, and refuge-specific regulations (50 CFR 32.25);

\*Use of signs and brochures may supplement the refuge-specific regulations

- ✓ complying with the NEPA;
- complying with the Endangered Species Act Section 7 evaluation (see attached consultation documentation);

OR ✓ N/A because there are no candidate, threatened, or endangered species present;

- ✓ complying with the National Historic Preservation Act Section 106 consultation (see attached Consultation documentation);

OR □ N/A because there are no cultural or historic resources present;

The Service is, therefore, waiving the requirement to prepare an opening package in compliance with Service policy (605 FW 2.9A).

Signature \_\_\_\_\_

Date: \_\_\_\_\_

Title: Project Leader

## CATEGORICAL EXCLUSION CHECKLIST FOR NEPA COMPLIANCE

### Proposed Action:

The Monte Vista National Wildlife Refuge (NWR) is proposing to open an additional 100 acres to elk hunting in accordance with existing state, local, and refuge-specific regulations (50 Code of Federal Regulations [CFR] 32.34; 50 CFR 32.42). The refuge will open these lands to hunting consistent with Colorado State hunting regulations on approved game species, unless specific area conditions require more restrictive regulations for reasons of safety, quality of experience, or conflicts with refuge purposes apply. Not only will opening these 100 acres to elk hunting provide additional opportunities for the public to enjoy wildlife-oriented recreation, but it will also ease boundary and law enforcement issues.

This proposed action is covered by the following categorical exclusion:

✓ 516 DM 8.5 B (7)

*(Review proposed activities. An appropriate categorical exclusion must be identified and cited above before completing the remainder of the Checklist. If a categorical exclusion cannot be identified, or the proposal cannot meet the qualifying criteria in the categorical exclusion, an environmental assessment [EA]/environmental impact statement [EIS] must be prepared.)*

An action by the United States (U.S.) Fish and Wildlife Service (Service) that only results in “minor changes in the amounts or types of public use on Service or State managed lands, in accordance with existing regulations, management plans, and procedures” is categorically excluded from further National Environmental Policy Act (NEPA) analyses, because it has been determined to be a class of action which does not individually or cumulatively have a significant effect on the human environment (516 DM 8.5 B [7]).

This action will only result in a minor change in the amount of hunting on the refuge. Opening an additional 100 acres to limited elk hunting will have no additional impact the abundance on this species and have negligible effects on other wildlife, habitat, and cultural resources. Currently, Monte Vista NWR is open to a limited access hunt by permit only, managed by Colorado Parks and Wildlife. We, the Service, expect no additional hunter use days as a result of this change.

Elk hunting is already open on areas adjacent to the proposed expansion area and is highly regulated by Colorado Parks and Wildlife. Current hunting opportunities were identified in the 2015 San Luis Valley NWR Complex (Complex) Migratory Game Bird, Big Game, and Upland Game Hunting Plan as well as the Complex’s 2015 Comprehensive Conservation Plan (CCP)/EIS. The minor impacts to the human environment of opening these additional 100 acres would be similar to those analyzed in the EIS for the Complex’s 2015 CCP/EIS. The habitat is mostly disturbed grasslands and greasewood shrublands and is similar to existing open adjacent areas. Impacts to wildlife and habitat resources, Endangered Species Act listed species, and cultural resources were analyzed and found to be in compliance with applicable policies and laws (see Appendix E of the 2015 CCP/EIS).

No Endangered Species Act listed species or designated critical habitat exist on the refuge.

**Extraordinary Circumstances (43 CFR 46.215):**

**Could This Proposed Action** (*check ( ✓ ) yes or no for each item below*):

Yes    No

- ✓    a. Have significant adverse effects on public health or safety?
- ✓    b. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order [EO] 11990); floodplains (EO 11988); national monuments; migratory birds; and other ecologically significant or critical areas?
- ✓    c. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA Section 102[2][E])?
- ✓    d. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?
- ✓    e. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?
- ✓    f. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?
- ✓    g. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau?
- ✓    h. Have adverse effects on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?
- ✓    i. Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment?
- ✓    j. Have a disproportionately high and adverse effect on low income or minority populations (EO 12898).
- ✓    k. Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (EO 13007).

- 1. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and EO 13112).
- m. Have material adverse effects on resources requiring compliance with EO 11988 (Floodplain Management), EO 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act?

*(If any of the above exceptions receive a “Yes” check (✓) , an EA/EIS must be prepared.)*

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

- The proposed action is covered by a categorical exclusion as provided by 43 CFR Section 46.210 or 516 DM 8.5. No further NEPA documentation will therefore be made.**
- An Extraordinary Circumstance (43 CFR 46.215) could exist for the proposed action and, so an EA/EIS must be prepared.**

**Service Signature Approval:**

Signature \_\_\_\_\_

Date: \_\_\_\_\_

Title: Project Leader, San Luis Valley National Wildlife Refuge Complex

Signature \_\_\_\_\_

Date: \_\_\_\_\_

Title: Refuge Supervisor



U.S. Fish & Wildlife Service  
Monte Vista National Wildlife Refuge

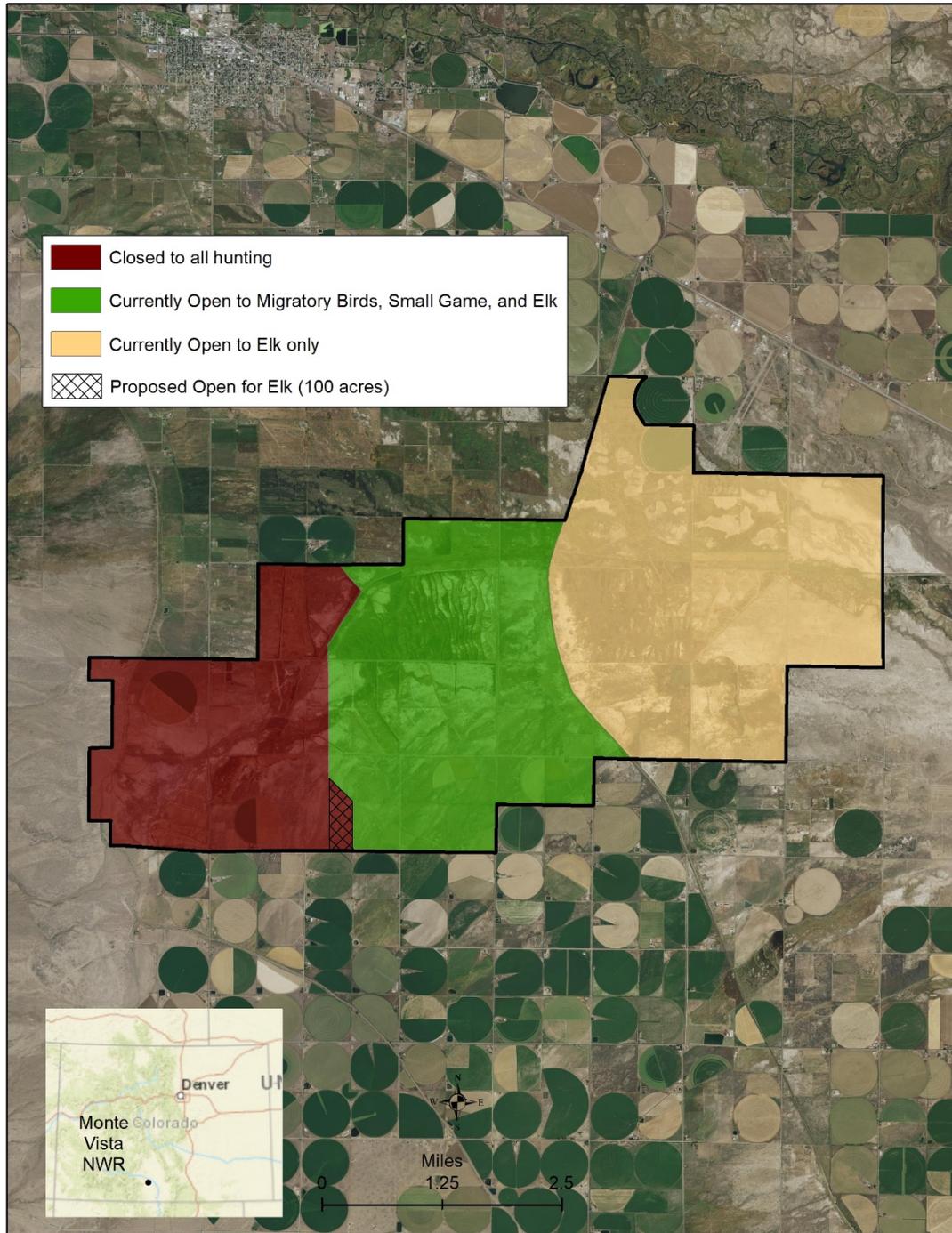


Figure 1. Hunting Areas on Monte Vista National Wildlife Refuge.