

U.S. FISH AND WILDLIFE SERVICE DEPARTMENT OF THE INTERIOR

DRAFT Environmental Assessment for Hotchkiss National Fish Hatchery

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 provide fishing opportunities by allowing public access to the North Fork of the Gunnison River on Hotchkiss National Fish Hatchery (Hotchkiss NFH or Hatchery) in accordance with the State of Colorado fishing regulations and the hatchery's Fishing Plan for the Hatchery. Hotchkiss National Fish Hatchery is located about 20 miles east of Delta, CO near the town of Hotchkiss and is located on 58 acres along the banks of the North Fork of the Gunnison River.

Access by the public to the North Fork of The Gunnison River for fishing on Hatchery property would occur and follow the rules and regulations set forth by Colorado Parks and Wildlife. Specific public access points are designated and posted in such a way as to prevent trespassing on neighboring private land and provide bio-security for outside raceways.

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

Hotchkiss NFH is part of the Service's National Fish Hatchery System. The National Fish Hatchery System (NFHS) is comprised of 70 Fish Hatcheries, 7 Fish Technology Centers, and 9 Fish Health Centers nationwide. The NFHS has a unique responsibility in helping restore native aquatic populations, mitigate for fisheries lost as a result of federal water projects, provide fish to benefit Tribes and the National Wildlife Refuges, and to recover species listed under the Endangered Species Act.

Hotchkiss NFH is located about 20 miles east of Delta, CO near the town of Hotchkiss and was established in 1967 as part of the Colorado River Storage Project Act. Located on 58 acres along the banks of the North Fork of the Gunnison River, the Hatchery's cold, clean water supply comes from the adjacent Tommy Dowell Spring. Hotchkiss NFH facilities include 24 inside nursery tanks, 40 concrete raceways, and 2 earthen ponds use for effluent treatment and sedimentation.

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.

Purpose and Need for the Proposed Action

The purpose of this proposed action is to provide compatible wildlife-dependent recreational opportunities, including fishing, on Hotchkiss 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 objective of providing fishing access on Hotchkiss NFH is to provide the public with a recreational opportunity to experience fishing and increase opportunities for anglers.

Regulations regarding types of gear and/or access are in accordance with State of Colorado fishing regulations.

Alternatives Considered

Alternative A – Open the Hatchery to fishing in accordance with State of Colorado Fishing Seasons and Regulations (Preferred Alternative)

The Hatchery has prepared a public use plan with a section devoted to river access (Appendix 2), which is presented in this document as the Proposed Action. Anglers would park in the parking lot at the Hatchery and hike to the North Fork of the Gunnison River to fish. Primary species angled are brown trout and rainbow trout.

Access by the public to the North Fork of The Gunnison River for fishing on Hatchery property would occur and follow the rules and regulations set forth by Colorado Parks and Wildlife. Specific public access points are designated and posted in such a way as to prevent trespassing on neighboring private land and provide bio-security for outside raceways. Regulations

regarding types of gear and/or access are in accordance with State of Colorado fishing regulations.

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. At this time due to limited parking and other user access it is believed that conflict would be minimal.

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 fishing - No 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 fishing. Under the no fishing action alternative, the Service would operate the Hatchery as usual, however access to fishing would not be allowed on Hatchery property.

Affected Environment

The Hatchery consists of approximately 58 acres in Delta County, Colorado (See map at Appendix 2).

The Hotchkiss NFH lies along the North Fork of the Gunnison River, bordered on the south by the river and by a river valley bench to the north. The proposed action is located at the public parking and access site to the River located on Hatchery grounds (See map of the general area and proposed project site on the Hatchery at Appendix 2).

The Hatchery is located in Delta County, 5.4 miles from downtown Hotchkiss, CO, and 20 miles from the County seat of Delta, CO. The US census reported that the county had a population of 30,952 in 2017 with a median age of 47.5 (US Census, 2018). The population decreased 1.2% from the 2010 census. DataUSA (DataUSA, 2017) reports that the median household income in 2016 was \$42,011. The median property value in Delta County was \$196,200, which was 4% lower than the national average of \$205,000. Between 2015 and 2016 the median property value increased by 1.66%. The economy of Delta County employs 11,334 people. The economy of Delta County, CO employs 11,334 people. The economy is specialized in Mining, Quarrying, Oil, Gas Extraction; Agriculture, Forestry, Fishing, Hunting; and Utilities, which employ, respectively, 12.7; 4.91; and 2.53 times more people than what would be expected in a location of this size.

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

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.

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.

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

NATURAL RESOURCES	
AFFECTED RESOURCE	ANTICIPATED DIRECT AND INDIRECT IMPACTS
<p>Aquatic species</p> <p>Aquatic species available for recreational angling on the North Fork of the Gunnison next to the Hatchery are brown trout and rainbow trout. Other species that occur in the river include bluehead and flannelmouth suckers, roundtail chub, and speckled dace.</p>	<p>Alternative A:</p> <p>Angling on the North Fork of the Gunnison River is managed by Colorado Parks and Wildlife (CPW). The Hatchery is only providing access to this fishery particularly below the Hatchery raceways and west beyond the White fabric Building. Fishing at this site has typically been very light. During the summer, the average number of anglers is about six/week. Most do not catch anything because there are no good pools at this site and they can do better elsewhere. No anglers have been sighted during the winter months. CPW monitors the fishery and would make any necessary changes to regulations if there were any impacts to river populations.</p> <p>State fishing information and regulations can be found at: CPW State fishing information and regulations</p> <p>Alternative B:</p> <p>Fishing on Hatchery property would be closed. There would be no opportunity for the public to fish at Hotchkiss NFH or have access to fishing on the North Fork of the Gunnison River. There would be no impact on the fishery because there would be no access.</p>
<p>Other Wildlife and Aquatic Species</p> <p>The Hatchery supports a diversity of wildlife species including game and nongame species, reptiles, amphibians, and invertebrates, which are important contributors to the overall biodiversity on the Hatchery. Songbirds, shorebirds and waterfowl can breed at the</p>	<p>Alternative A:</p> <p>Fishing may result in short-term disturbance to wildlife such as migratory birds, upland/small game and big game species. This includes temporary displacement of waterfowl and other resident wildlife from foot traffic moving through the area. Wildlife would include small mammals such as voles, moles, mice, and shrews; reptiles and amphibians such as snakes, turtles, salamanders, frogs and toads; 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</p>

<p>Hatchery with their presence felt especially during the spring months. Winter months are fairly dormant at the Hatchery with the exception of deer and small mammals that utilize the trees and river corridor.</p>	<p>populations regionally. Some species of butterflies and moths are migratory. Cumulative effects to these species at the “flyway” level should be negligible.</p> <p>Any angler interaction would be similar to that of non-consumptive users. Disturbance to wildlife would increase slightly at the river access site, however, once the anglers are in watercraft or settled in-stream, significant disturbance to the terrestrial species is unlikely.</p> <p>Alternative B:</p> <p>Fishing on Hatchery property would be closed. There would be no opportunity for the public to fish at Hotchkiss NFH or have access to fishing on the North Fork of the Gunnison River so there would be no direct or indirect impacts to other wildlife and aquatic species.</p>
<p>Threatened and Endangered Species and Other Special Status Species</p>	<p>There are no known federally listed, proposed, or candidate species within or adjacent to the action area and the action area does not provide any habitat resources for these species. The project activities proposed will have no effect on any federally listed, proposed, or candidate plant or wildlife species</p>
<p>Vegetation (including vegetation of special management concern)</p> <p>Vegetation on the Hatchery consists of a variety of trees, shrubs, forbs and grasses lining the riverbank including cottonwood, ash, willow and sagebrush. Many native and introduced plant species also inhabit the use areas.</p>	<p>Alternative A:</p> <p>Some minor effect expected to vegetation from trampling, because of the increased number of users and days of use expected. The trampling of vegetation would primarily occur with foot traffic on trails along the river bank. Most fishing activity takes place while anglers are wading/standing in the shallows.</p> <p>Alternative B:</p> <p>No action would be taken by the Service to open Hatchery land to fishing. This alternative would effectively close all Hatchery land to the public for fishing. There would be no direct or indirect impacts to existing vegetation.</p>

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

VISITOR USE AND EXPERIENCE	
AFFECTED RESOURCE	ANTICIPATED DIRECT AND INDIRECT IMPACTS
<p>Hotchkiss NFH provides many exciting visitor opportunities, and supports local communities. Open to the public, Hotchkiss NFH welcomes visitors to the Hatchery for a close up view of the fish production process. Over 7,500 visitors annually explore the Visitor Center, picnic areas and raceways. Educational programs/tours are provided for the public and school groups during business hours. A short, wheelchair-accessible, self-guided tour is available at the Hatchery as well.</p> <p>Visitors also have a bounty of nearby recreational opportunities along the North Fork of the Gunnison River: Hiking/nature trails, Fishing, Picnicking, Wildlife and bird watching, and Photography</p>	<p>Alternative A:</p> <p>Fishing on the North Fork of the Gunnison River would have negligible impacts to other wildlife-dependent recreation and visitor use of the Hatchery. Opportunities for wildlife viewing abound on the Hatchery grounds that are apart from the fishing access areas. Anglers would benefit from access to the river.</p> <p>State fishing information and regulations can be found at:</p> <p>CPW State fishing information and regulations</p> <p>Alternative B:</p> <p>No action would be taken by the Service to open the Hatchery to fishing. This alternative would effectively close all Hatchery land to the public for fishing. This alternative would produce no impacts to existing visitors and public users except to anglers for which there would be no access to the River.</p>

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

CULTURAL RESOURCES	
AFFECTED RESOURCE	ANTICIPATED DIRECT AND INDIRECT IMPACTS
	<p>Alternative A:</p> <p>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>Alternative B:</p> <p>No action would be taken by the Service to open the Hatchery to fishing. This alternative would effectively close all Hatchery land to the public for 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

HATCHERY MANAGEMENT & OPERATIONS	
AFFECTED RESOURCE	ANTICIPATED DIRECT AND INDIRECT IMPACTS
<p>Land Use:</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 public waters adjacent to the Hatchery outweighs potential negative consequences at this time.</p>	<p>Alternative A:</p> <p>Some potential conflicts with fish propagation programs could occur with potential illegal movement of fish species from the river to adjacent fish production raceways. Transfer of parasites, disease or other aquatic invasive species (AIS) from the river to the Hatchery tanks or raceways 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 at that point be taken to further minimize impacts. Fishing access is only allowed at a single designated area to ensure bio-security at the Hatchery facilities. Currently no AIS species are known present in the North Fork of the Gunnison River.</p> <p>Alternative B:</p> <p>No action would be taken by the Service to open the Hatchery to fishing. This alternative would effectively close all Hatchery land to the public for fishing. This alternative would produce no impacts to Hatchery management, operations, buildings or the water supply.</p>
<p>Administration</p>	<p>Alternative A:</p> <p>Annual costs to administer the fishing program at Hotchkiss NFH, including salary, equipment, and maintenance, totals approximately \$3,500. Expenses would consist primarily of posting and maintaining “Public Fishing Area” signs, maintenance of the trail and parking lot, disposal of waste</p>

HATCHERY MANAGEMENT & OPERATIONS	
AFFECTED RESOURCE	ANTICIPATED DIRECT AND INDIRECT IMPACTS
	<p>from trash containers, and production and dissemination of materials regarding fishing access and regulations.</p> <p>Alternative B:</p> <p>No action would be taken by the Service to open the Hatchery to fishing. This alternative would effectively close all Hatchery land to the public for fishing. No costs would be incurred associated with public fishing at the Hatchery.</p>

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

SOCIOECONOMICS	
AFFECTED ENVIRONMENT	ANTICIPATED DIRECT AND INDIRECT IMPACTS
Local and regional economies	<p>Alternative A:</p> <p>The Hatchery is located in Delta County, 5.4 miles from downtown Hotchkiss, CO, and 20 miles from the County seat of Delta, CO. The US census reported that the county had a population of 30,952 in 2017 with a median age of 47.5. The population decreased 1.2% from the 2010 census. DataUSA (datausa.io) reports that the median household income in 2016 was \$42,011. The median property value in Delta county was \$196,200, which was 4% lower than the national average of \$205,000. Between 2015 and 2016 the median property value increased by 1.66%. The economy of Delta county employs 11,334 people. The economy of Delta County, CO employs 11,334 people. The economy is specialized in Mining, Quarrying, Oil, Gas Extraction; Agriculture, Forestry, Fishing, Hunting; and Utilities, which</p>

SOCIOECONOMICS	
AFFECTED ENVIRONMENT	ANTICIPATED DIRECT AND INDIRECT IMPACTS
	<p>employ, respectively, 12.7; 4.91; and 2.53 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 fishing. Participation is likely to be low and thus the direct and indirect impacts to the area economy and society should be negligible.</p> <p>Alternative B: No action would be taken by the Service to open the 72 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 socio-economics of Delta County, CO.</p>
ENVIRONMENTAL JUSTICE	
	<p>Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-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 (discussed under Affected Environment) 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.

Mitigation Measures and Conditions

Hotchkiss NFH staff and state fish and wildlife authorities would 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

Hotchkiss 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 Hotchkiss NFH staff. If concerns or impacts are noticed by state authorities, Hotchkiss NFH would work cooperatively to resolve any issues. State fishing information and regulations can be found at:

[CPW State fishing information and 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 fishing in accordance with State of Colorado 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 are 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 fishing-No fishing permitted on Hatchery property

No action would be taken by the Service to open Hatchery lands to public fishing. This alternative would effectively close the Hatchery lands to the public for fishing. Under the no 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 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:

Matt Nicholl
Aquatic Section Manager
Colorado Parks and Wildlife
6060 Broadway

Denver, CO 80216

References:

DataUSA. 2017. [DataUSA Delta County Colorado](#)
Colorado Parks and Wildlife. 2019a. 2019 Colorado Fishing, Season: April 1, 2019-March 31,
2020. [CPW Fishing Regulations Brochure](#)
U.S. Fish and Wildlife Service. 2014. Hotchkiss National Fish Hatchery. [Hotchkiss NFH](#)
United States Census. 2018. Quick Facts, Delta County, Colorado. [Census Delta County Colorado](#)

List of Preparers:

Kevin Johnson, USFWS R6 Fish and Aquatic Conservation Supervisor
Craig Eaton, USFWS Hatchery Manager, Hotchkiss National Fish Hatchery
Constance Young-Dubovsky, USFWS R6 Fish Biologist

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
Fort Belknap Indian Community of the Fort Belknap Reservation of Montana
Navajo Nation, Arizona, New Mexico & Utah

Public Outreach:

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

Announcements concerning public fishing will be made on the Hotchkiss NFH Facebook page, with information about fishing available on the Hotchkiss NFH website: [Hotchkiss NFH](#). 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.

- 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**

Cultural Resources	
<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

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

APPENDIX B

**Hotchkiss National Fish Hatchery
Draft Fishing Plan
February 2019**

See separate document

APPENDIX C

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 access at Hotchkiss National Fish Hatchery

Location (County; City, WMA, watershed etc.):

Delta County, CO SW ¼ of Section 3, Township 1 5S, Range 93W, latitude 38.771267 N

Description/Objective:

The U.S. Fish and Wildlife Service (Service) is proposing to open fishing access at Hotchkiss National Fish Hatchery (VCNFH) in accordance with the State of Colorado fishing regulations and the hatchery's Fishing Plan for Hotchkiss 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. Hotchkiss NFH is located about 20 miles east of Delta, CO near the town of Hotchkiss and was established in 1967 as part of the Colorado River Storage Project Act and is located on 58 acres along the banks of the North Fork of the Gunnison River.

No Effect

There are no known federally listed, proposed, or candidate species within or adjacent to the action area and the action area does not provide any habitat resources for these species. The project activities proposed 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 Hotchkiss NFH Fishing Access)

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 Fish Plan as proposed without formal consultation.

Kevin M. Johnson

February 13, 2019

Project Officer

Date