Appendix L

USFWS

Feral Hog at Back Bay

Finding of No Significant Impact (FONSI)

Finding of No Significant Impact

Back Bay National Wildlife Refuge
Comprehensive Conservation Plan

In March 2010, the U.S. Fish and Wildlife Service (Service) published the Draft Comprehensive Conservation Plan and Environmental Assessment (Draft CCP/EA) for Back Bay National Wildlife Refuge (refuge). The refuge is currently 9,035 acres and located in the City of Virginia Beach, Virginia. The Draft CCP/EA identifies the refuge's purposes, proposes a vision statement, and includes management goals and objectives to be achieved through plan implementation. The Draft CCP/EA evaluates three alternatives for managing the refuge over the next 15 years and compares their potential contribution to the refuge's purposes, vision, goals, and the mission of the National Wildlife Refuge System (Refuge System). Alternative B is identified as the Service-preferred alternative. Chapter 2 in the draft plan details the respective goals, objectives, and strategies for each of the three alternatives. Chapter 4 describes the predicted direct, indirect, and cumulative impacts on the environment from implementing each alternative. The draft plan's appendices provide additional information supporting the assessment and specific proposals in Alternative B. A brief overview of each alternative as it was presented in the draft CCP/EA follows.

Alternative A (Current Management): The Council of Environmental Quality regulations on implementing the National Environmental Policy Act (NEPA) require this "No Action" alternative, which we define as current management. Alternative A includes our existing programs and activities and serves as the baseline against which to compare the other alternatives. Under current management, we manage a series of wetland and moist-soil impoundments, forested and shrub-scrub habitats, and coastal beach and dune habitats. Under Alternative A, we would continue to conduct land bird, marsh bird, and migratory waterfowl surveys, continue to conduct nesting and stranded sea turtle patrols, and continue current methods of nuisance and non-native species control. We would maintain existing opportunities for visitors to engage in wildlife observation, photography, and environmental education and interpretation, as well as maintain existing hunting and fishing opportunities on the refuge. We would maintain existing infrastructure and buildings, and maintain current staffing levels. While this alternative is intended as a "snapshot in time," we include activities that were underway at the time the plan was being prepared, some of which are completed, and some of which are still in progress.

Alternative B (the Service-preferred alternative): This alternative includes an array of management actions that, in our professional judgment, work best toward achieving the purposes of the refuge, our vision and goals for those lands, the Refuge System mission, and the goals in State and regional conservation plans. This alternative focuses on enhancing the conservation of wildlife through habitat management,

as well as providing additional visitor opportunities on the refuge. Alternative B incorporates existing management activities and/or provides new initiatives or actions aimed at improving efficiency and progress towards refuge goals and objectives. Some of the major strategies proposed include: Opening up forest canopy by selectively removing loblolly pine, sweetgum, and red maple; withdrawing the 1974 wilderness designation proposal for Long Island, Green Hills, and Landing Cove (2,165 acres); developing a canoe/kayak trail on the west side of the refuge; expanding the deer hunt and developing new hiking trails; and developing and designing a new headquarters/ visitor contact station. We would also expand opportunities for the six priority public uses of the Refuge System, and emphasize wildlife observation and photography, and interpretation.

The expansion of visitor facilities and services, as well as the projected increase in visitation, would require additional staffing support to meet public expectations, and provide for public safety, convenience, and a high quality experience for refuge visitors. Partnering, interagency agreements, service contracting, internships, and volunteer opportunities would increase in order to help provide this staffing support.

We would also continue our monitoring and inventory program, and regularly evaluate the results to help us better understand the implications of our management actions and identify ways to improve their effectiveness.

Alternative C (Improved Biological Integrity): Alternative C prominently features additional management that aims to restore (or mimic) natural ecosystem processes or functions to achieve refuge purposes. Alternative C focuses on using management techniques that would encourage forest growth and includes an increased focus toward the previously proposed wilderness areas. Some of the major strategies proposed include: Developing an interagency agreement that would allow the 1974 proposed wilderness areas at Long Island, Green Hills, and Landing Cove (2,165 acres) to again meet minimum criteria, and then manage accordingly; and, creating conditions that allow us to shift more resources from intensive management of the refuge impoundment system to the restoration of Back Bay-Currituck Sound. In addition, we propose to continue enhancing visitor services by: Developing a hiking trail along Nanney's Creek; initiating actions to open the Colchester impoundment for fishing opportunities; considering additional waterfowl hunting areas; developing and designing a new headquarters/visitor contact station that provides more office space than proposed for Alternative B; and working with partners to provide a shuttle (for a fee) service from the new headquarters site to the barrier spit.

We distributed the Draft CCP/EA for a 33-day period of public review and comment from March 30, 2010, to May 1, 2010. During the comment period, 162 letters were received representing 174 individual signatures, 11 government agencies, and members of 7 organizations. A total of 90 individual comments were assessed during the content analysis process. Appendix K in the final CCP includes a summary of those comments, our responses to them, and additional rationale for the changes we make in the final CCP outlined below.

After reviewing the proposed management actions, and considering all public comments and our responses to them, we have determined that the analysis in the Draft CCP/EA is sufficient to support my findings. We are selecting Alternative B, as presented in the Draft CCP/EA with the following changes recommended by the planning team, to implement as the final CCP. Changes made to Alternative B in the final CCP are:

- We have no objection to the concept of the Lago Mar to Sandbridge Trail (the route of which is not yet specifically defined or mapped but would primarily be a City of Virginia Beach project along their right-of-way), but the refuge cannot make a determination until we complete a NEPA analysis. The analysis will occur after we receive the City of Virginia Beach's plan, which should include details on developing a trailhead and spur from the proposed new Refuge Visitor Center to the Lago Mar portion of the trail. We have included a map of the City's proposed trail near Sandbridge Road that was not included in the draft CCP/EA.
- We inserted language recognizing the important partnership we have with state agencies and the need to follow required state regulations during construction of new facilities.
- We clarified with much greater detail the goals, objectives, strategies and rationale of the refuge management direction, especially in terms of habitat management.
- We corrected all format and typographical errors that were brought to our attention.

We concur that modified Alternative B, including the above changes, helps fulfill the mission of the Refuge System; best achieves the refuge's purposes, vision, and goals; maintains and, where appropriate, helps restore the refuge's ecological integrity; addresses the major issues identified during the planning process; and is consistent with the principles of sound fish and wildlife management. Specifically, in comparison to the other two alternatives, modified Alternative B promotes diversity of habitat types for migratory birds, especially waterfowl, through its combination of wetland, upland, and dune management. It also provides the most reasonable and effective enhancements to existing public use programs that are in high demand, with minimal impacts to wildlife and habitats. The plans to increase staffing and improve infrastructure are reasonable, practicable and will result in the most efficient management of the refuge and best serve the American public. This Finding of No Significant Impact includes the EA by reference.

We have reviewed the predicted beneficial and adverse impacts associated with Alternative B that are presented in Chapter 4 of the Draft CCP/EA, and compared them to the other alternatives. We specifically reviewed the context and intensity of those predicted impacts over the short and long-term, and considered their cumulative effects. We have also determined that the proposed changes to Alternative B described are within the scope and scale of the alternatives analysis conducted in the Draft CCP/EA and no additional analysis is needed. Our evaluation concludes that implementing modified Alternative B will not result in any concerns with public health or safety, nor result in adverse implications to any unique

cultural or natural characteristics of the geographic area, including wetlands or Federal-listed species. We find that implementing modified Alternative B adheres to all legal mandates and Service policies, and will not have a significant impact on the quality of the human environment, in accordance with Section 102(2)(c) of NEPA. Therefore, we conclude that an Environmental Impact Statement is not required, and this Finding of No Significant Impact is appropriate and warranted.

Marvin E. Moriarty
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U.S. Fish and Wildlife Service
Hadley, Massachusetts

Acting

9-30-10
Date