

Appendix H.



USFWS

Fishing Day

Finding of No Significant Impact (FONSI)

Finding of No Significant Impact

In October 2012, the U.S. Fish and Wildlife Service (Service) published the Patuxent Research Refuge (RR) draft Comprehensive Conservation Plan and Environmental Assessment (CCP/EA), which is hereby incorporated by reference. Patuxent RR was established on December 16, 1936, by Executive Order by President Franklin D. Roosevelt, “To effectuate further the purposes of the Migratory Bird Conservation Act” and to serve “as a wildlife experiment and research refuge.” By order of the President, the area was to be known as the Patuxent Research Refuge. Dedicated on June 3, 1939, Secretary of Agriculture Henry A. Wallace stated that, “The chief purpose of this refuge is to assist in the restoration of wildlife - one of our greatest natural resources.” The Patuxent Research Refuge mission is, “To help protect and conserve the Nation’s wildlife and habitat through research on critical environmental problems and issues.” Since 1936, the refuge has grown from 2,679 acres to 12,841 acres.

The Patuxent RR draft CCP/EA outlines three alternatives for managing the refuge over the next 15 years. It carefully considers their direct, indirect, and cumulative impacts on the environment and their potential contribution to the mission of the National Wildlife Refuge System (Refuge System). The draft CCP/EA restates the refuge’s purposes, creates a vision for the next 15 years, and proposes seven goals to be achieved through plan implementation. Alternative B is identified as the Service-preferred alternative. Chapter 3 in the draft CCP/EA details the respective goals, objectives, and strategies for each of the three alternatives, and chapter 4 of the draft CCP/EA describes the consequences of implementing those actions under each alternative. The draft plan’s appendixes provide additional information supporting the assessment and specific proposals in alternative B. A brief overview of each alternative follows:

Alternative A (Current Management)

This alternative satisfies the National Environmental Policy Act (NEPA) requirement of a “no action” alternative, which we define as “continuing current management.” It describes our existing management priorities and activities, and serves as a baseline for comparing and contrasting alternatives B and C. It would maintain our present levels of approved refuge staffing and the biological and visitor programs now in place. We would continue to manage for and maintain a diversity of habitats, including forests, forested wetlands, pine-oak savannah, grasslands, and scrub-shrub on the refuge. The refuge would continue to provide an active visitor use program that supports environmental education and interpretation, hunting, fishing, and wildlife observation and photography.

Alternative B (Forest Restoration and Mixed Public Use)

This alternative is the Service-preferred alternative. It combines the actions we believe would most effectively achieve the refuge’s purposes, vision, and goals, and respond to the issues raised during the scoping period. It emphasizes the management of specific refuge habitats to support species of conservation concern in the Chesapeake Bay region. In particular, it emphasizes forest biodiversity and ecosystem function. This includes the restoration of a number of impoundments and grasslands to forested areas to support forest interior-dwelling bird species and other forest-dependent species. In addition, alternative B strives to promote wildlife-dependent public uses, while allowing for nonwildlife-dependent public uses. In particular, it promotes higher quality hunting and

fishing programs; expands wildlife observation, and photography opportunities; and initiates new interpretive program and environmental education opportunities.

Alternative C (Maximize Forest Interior Restoration and Emphasize Wildlife-dependent Public Use Activities)

Alternative C would focus on maximizing interior forest habitat. This would require active management to restore a majority of impoundments and grasslands into forested areas that would support forest interior-dwelling species, in addition to other species of conservation concern. Alternative C also focuses on accommodating wildlife-dependent public uses while minimizing nonwildlife-dependent uses, particularly by expanding wildlife observation, and photography opportunities, and reducing the number of special events and interpretive programming.

We distributed the draft CCP/EA for a 45-day period of public review and comment from October 10 to November 26, 2012. We received 73 letters, calls, or emails representing individuals, organizations, and State agencies, and had approximately 30 people attend two public meetings held on October 22 and 23, 2012. Appendix I in the final CCP includes a summary of those comments and our responses to them.

After reviewing the proposed management actions, and considering all substantive public comments and our responses to them, we have determined that the analysis in the EA is sufficient to support our 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 we made in the final CCP include the following:

- We determined that individuals participating in horseback riding will not be required to clean up horse manure along the trails. We encourage individuals to do so if they are able, but we recognize that requiring riders to dismount could increase the possibility of injury. We will work with local riding groups to develop options for clean-up of specific areas as necessary.
- We determined that individuals participating in horseback riding will be allowed to travel at speeds other than a walk. They should take precautions when approaching other users and reduce speeds accordingly.
- We corrected all format and typographical errors that were brought to our attention.

We conclude that alternative B, with the above changes, in comparison to the other two alternatives will: (1) best fulfill the mission of the Refuge System; (2) best achieve the refuge's purpose, vision, and goals; (3) best maintain and, where appropriate, restore the refuge's ecological integrity; (4) best address the major issues identified during the planning process; and (5) be most consistent with the principles of sound fish and wildlife management. Specifically, in comparison to the other two alternatives, alternative B provides the biggest increase in the diversity, integrity, and health of high-quality habitats through enhanced habitat management. It also provides the most reasonable and effective improvements to existing public use programs that are in demand, with minimal impacts to wildlife and habitats. The plans to increase staffing

and improve and expand infrastructure are reasonable, feasible, and will result in the most efficient management of the refuge and best serve the American public.

We have reviewed the predicted beneficial and adverse impacts 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 the cumulative effects. The review of each of the NEPA factors to assess whether there will be significant environmental effects is summarized here (40 C.F.R. 1508.27).

(1) Beneficial and adverse effects: We expect the final CCP (alternative B) management actions to benefit both the wildlife and habitats at Patuxent RR. Important examples include changes to management of impoundments to restore natural function to the floodplain forest, efforts to reduce forest fragmentation, restoration, and management of rare pine savannah habitat, and management of a variety of other habitats on the refuge to benefit breeding and migrating songbirds, waterfowl, and raptors, as well as amphibians, reptiles, and mammals of conservation concern. Except for potentially restoring some of the impoundments, benefits will not result from any major change in management strategy; rather, they will be incremental to the effects of current management. As stated in the draft CCP/EA, we will complete any additional compliance with applicable laws before implementing any restoration of the impoundments. Therefore, we do not anticipate any significant beneficial or adverse effect on the human environment.

(2) Public health and safety: We expect the good safety record of the refuge to continue based on the protective actions provided in the stipulations of the compatibility determination for each of the authorized public uses on the refuge. There should be no significant impact on public health and safety from the implementation of the CCP.

(3) Unique characteristics of the area: The primary, unique characteristic of Patuxent RR is its large forest tracts in proximity to urban Baltimore, MD and Washington, DC. We expect the preservation and restoration measures in the CCP, such as increased efforts at forest restoration and control of nonnative invasive species, to benefit these forests, and to benefit the surrounding habitats. In addition, as the only national wildlife refuge with wildlife research as a primary purpose, refuge staff will continue to look for opportunities to conduct or allow research, especially when it provides information valuable for refuge management or Department of Interior priorities. As in (1), the benefits will be incremental to the effects of the ongoing management measures originally instituted to protect these resources. Thus, we do not expect these incremental benefits to result in a significant impact on the human environment.

(4) Highly controversial effects: The management actions in the final CCP such as invasive species control, habitat restoration, deer control, and wildlife-dependent recreational uses are time-tested measures. Their effects on the refuge are widely known from past management and monitoring. There is no scientific controversy over what these effects will be; thus, there is little risk of any unexpectedly significant effects on the environment.

(5) Highly uncertain effects or unknown risks: The management actions in the final CCP are evolutionary. They are mostly refinements of the existing management measures that we have

used for many years. We will implement a comprehensive monitoring program to reassess the effectiveness of each planned improvement. With the data available on the current management results and the system in place to adjust for any unplanned effect, we do not find a high degree of uncertainty or unknown risk that the CCP will cause any significant impact on the environment.

(6) Precedent for future actions with significant effects: The purpose of the CCP is to establish the precedent for managing the refuge for up to 15 years. The effects of that management are designed as gradual improvements over the existing conditions, not global changes. For example, strategies such as expanding environmental education and restoring floodplain forest will be completed over several years. Therefore, we do not expect this precedent to cause any significant impact on the environment.

(7) Cumulatively significant impacts: The CCP provides the programmatic, long-term management plan for the refuge. We plan to coordinate with surrounding land managers to promote common goals such as managing wildlife, habitat, and public use to minimize potential conflicts. Our management jurisdiction is limited, however, to the refuge lands, and we do not foresee any of the coordinated activities rising to the level of a significant effect on the environment. Within the term of the CCP, we intend to pursue additional projects such as constructing a boardwalk, additional trails, and expanding the refuge administrative offices. We will examine the cumulative effects of all projects under the CCP before they are approved, and we will conduct whatever level of additional NEPA review is warranted.

(8) Effects on scientific, cultural, or historical resources: Evaluation of archaeological resources presented in the draft CCP/EA showed no significant impacts on these resources from the planned management activities. Service archaeologists in the Northeast Regional Office keep an inventory of known sites and structures, and ensure that we consider them in planning new ground-disturbing or structure-altering changes to the refuge. Throughout the implementation of the CCP, we will continue to consult with the Maryland Historic Preservation Office on any ground-disturbing activities (e.g., expanding administrative offices) and other projects that might affect cultural resources.

(9) Effects on Endangered Species Act (ESA)-listed species and habitats: As detailed in the CCP, we have contacted the Service's Chesapeake Bay Ecological Services Field Office under Section 7 of the ESA. No ESA-listed species are expected to occur on the refuge. The CCP also protects the delisted bald eagle. Our management actions are designed to preserve and improve the existing habitat for this species, and there is no ESA-designated, critical habitat on the refuge. Therefore, we anticipate no effects on ESA resources.

(10) Threat of violating any environmental law: Our habitat management actions are designed to benefit the environment. They will comply with all applicable protections such as the Clean Water Act and the Clean Air Act. Pursuant to the National Wildlife Refuge System Administration Act (16 U.S.C. 668dd(e)(3), 668dd(m)), our public hunting and fishing programs under the CCP requires all participants to comply with State regulations. We do not anticipate a threat that the CCP will violate any environmental law or cause any significant impact on the environment.

Based on this review, we find that implementing alternative B will not have a significant impact on the quality of the human environment, in accordance with Section 102(2)(c) of NEPA. Therefore, we have concluded that an Environmental Impact Statement is not required, and this FONSI is appropriate and warranted.



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Date

