FINDING OF NO SIGNIFICANT IMPACT

ENVIRONMENTAL ASSESSMENT
for HUNTING
WERTHEIM NATIONAL WILDLIFE REFUGE
SUFFOLK COUNTY, NEW YORK

The U.S. Fish and Wildlife Service (Service) proposes to expand hunting at Wertheim National Wildlife Refuge (NWR, refuge) in accordance with the refuge's Hunting Plan. This plan seeks to expand hunting opportunities for white-tailed deer (*Odocoileus virginianus*) and turkey (*Meleagris gallopavo*) in accordance with the refuge's Comprehensive Conservation Plan (CCP), which was finalized in 2006. The Hunting Plan includes providing opportunities for firearm and archery hunting of white-tailed deer, and a spring turkey hunt for youth.

Selected Action

Proposed Action Alternative

Under this alternative, the 2,688-acre Wertheim NWR is divided into five hunt units whose boundaries are defined by refuge roads and watercourses, as seen in Figure 1 of the Hunting Plan. Hunting would be conducted in designated areas of the refuge in accordance with Federal and State regulations. Hunting would take place within the open hunting seasons established by the New York State Department of Environmental Conservation (NYSDEC). The Wertheim NWR archery hunt will expand from the current 7 days up to 90 days, which encompasses the archery season, October through January. To avoid potential impacts to northern long-eared bats on the refuge, we would likely start deer hunting on November 1. Hunting during the firearms season in January may increase from 4 days up to 14 days.

All hunts will comply with applicable Federal regulations as published annually in the Code of Federal Regulations (CFR), as well as State regulations published annually by the NYSDEC, unless otherwise noted. Hunters will be required to have a NYSDEC hunting license, as well as a refuge-specific permit. Hunters will be selected by lottery and these hunts will take place within the applicable State hunting seasons. A limited number of permits will be issued so that the refuge can facilitate hunting activities in a safe, enjoyable manner for hunters and other refuge users, while also managing impacts to the natural resources.

Applications and hunter orientation information will be available on the refuge website and at the Wertheim NWR headquarters. The current application fee is $15 per permit application and must be included with the completed application to be eligible for the hunter lottery drawing. Upon the lottery drawing, all selected and non-selected hunters will be notified by mail. Youth hunters under the age of 16 selected during the lottery must be accompanied by a non-hunting adult with a valid New York State hunting license.

There are no unresolved conflicts about the proposed action with respect to the alternative uses of available resources, because the minor changes proposed by this action are not expected to have negative impacts to the ecological, aesthetic, historic, cultural, economic, social, or health aspects of the refuge and surrounding communities. Therefore, the Service does not need to

consider additional alternatives (43 CFR 46.310(b)).

This alternative was selected over other alternatives because it increases high quality public hunting opportunities, with minimal impacts on physical and biological resources, and meets Service mandates under the National Wildlife Refuge System Administration Act (NWRSAA) of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997. The addition of turkey hunting and the expansion of deer hunting is predicted to have no detrimental effects to local and regional wildlife populations. To access the impacts of this program, populations will continue to be monitored in collaboration with State biologists. This monitoring will allow the refuge to adaptively manage through the hunting program, altering the refuge's permit numbers and season structure as needed. The Service believes that expanding the hunting program on Wertheim NWR will not have any significant impact to wildlife, other uses, or refuge administration. This alternative will best meet the purpose and need, refuge objectives, and Service mandates.

The Department of the Interior Secretarial Order 3347 – "Conservation Stewardship and Outdoor Recreation," signed March 2, 2017, and Secretarial Order 3356 – "Hunting, Fishing, Recreational Shooting, and Wildlife Conservation Opportunities and Coordination with States, Tribes, and Territories," signed September 15, 2017, includes direction to Department of the Interior agencies to "increase outdoor recreation opportunities for all Americans, including opportunities to hunt and fish; and improve the management of game species and their habitats for this generation and beyond." The selected alternative will also promote one of the priority public uses of the National Wildlife Refuge System (Refuge System), and providing opportunities for visitors to hunt will promote stewardship of our natural resources and increase public appreciation and support for the refuge.

Other Alternatives Considered and Analyzed

No Action Alternative

There would be no change to current public use and wildlife management programs on the refuge under this alternative. The refuge would not provide new hunting and access opportunities. This alternative would have the least direct impacts on physical and biological resources; however, long-term impacts on habitat quality would be adverse if the deer population continues to increase. In addition, it would not fulfill the Service's mandate under the NWRSAA and Secretarial Order 3356.

Summary of Effects of the Selected Action

An Environmental Assessment (EA) was prepared in compliance with the National Environmental Policy Act of 1969, as amended (NEPA) to provide a decision-making framework that: (1) explored a reasonable range of alternatives to meet project objectives; (2) evaluated potential issues and impacts to the refuge, resources and values; and (3) identified mitigation measures to lessen the degree or extent of these impacts. The EA evaluated the effects associated with the expansion of hunting at Wertheim NWR, as well as effects of a no action alternative. It is incorporated as part of this finding.

Implementation of the agency's decision would be expected to result in the following environmental, social, and economic impacts:

Affected Environment	**Selected Action**
White-tailed Deer and Turkey	Minor, short-term adverse impacts to species. Long-term, the deer population will exhibit a more balanced sex ratio, will be more resistant to disease, and individual animals will maintain a higher level of physical condition. Turkey hunting will result in an estimated take of five turkeys each year, and this is anticipated to have a minimal impact on their overall population.
Other Wildlife Species	Minor, short-term adverse impacts to non-other species. Disturbance to non-migratory wildlife would increase on the refuge due to the presence of sportsmen. Long-term, increased vegetative density and diversity resulting from decreased white-tailed deer populations will provide the structure necessary to benefit ground-nesting birds, as well as reptiles, amphibians, and small mammals.
Threatened and Endangered Species	Not likely to adversely affect threatened and endangered species. Disturbance to species of special management concern may come from the presence of hunters on the refuge. However, this will be mitigated by the timeframe for hunting between November and January, when wildlife occurrence and activity is lowest.
Vegetation	Minor, short-term impacts to vegetation. Minor long-term benefits to vegetation, as reduction of deer densities would allow forest vegetation to recover from the effects of overbrowsing.
Visitor Use and Experience	Minor, short-term adverse impacts to other public uses.
Cultural Resources	No impacts.
Refuge Management & Operations	Minor, short-term and minor, long-term impacts to refuge management and operations. Moving away from staffing a deer check station would reduce the workload required to manage the annual hunt to approximately 17.25 staff days (more than 70 percent reduction compared to the No Action Alternative). This would create a moderate, long-term benefit for the refuge by reducing personnel time to devote to other refuge operations and management.
Socioeconomics	Minor, short-term and minor, long-term benefits.
Environmental Justice	No impacts.

While refuges, by their nature, are unique areas protected for conservation of fish, wildlife and habitat, the selected action will not have a significant impact on refuge resources and uses for several reasons. Measures to mitigate and/or minimize adverse impacts have been incorporated into the proposal:

1. The Refuge System uses an adaptive management approach to all wildlife management on refuges. This approach involves monitoring and re-evaluating the hunting opportunities on the refuge on a regular basis to ensure that the hunting programs continue to contribute to the biodiversity and ecosystem health of the refuge and these opportunities do not contribute to any cumulative impacts to habitat or wildlife.

2. The refuge-specific regulations detailed in 50 CFR are measures under action that will reduce or avoid impacts. Hunting regulations will be enforced by refuge and State law enforcement officers. Providing hunting information through various forums will ensure the public is aware of applicable laws and policies.

3. The action is not in an ecologically sensitive area.

4. The action is not likely to adversely affect any threatened or endangered species; and will have no effect to federally designated critical habitat.

Additionally, stipulations are necessary to ensure compatibility:

- This use must be conducted in accordance with State and Federal regulations, and special refuge regulations published in the Refuge Hunting Regulations and Public Use Regulations brochures.

- This use is subject to modification if on-site monitoring by refuge personnel or other authorized personnel finds unanticipated negative impacts to natural communities, wildlife species, or their habitats.

- Hunters may enter the refuge no earlier than 1 hour before the beginning of legal shooting hours and must exit the refuge no later than 1 hour after the end of legal shooting hours.

- All deer and turkey harvested on the refuge must be checked in at the NYSDEC Ridge Hunter Check Station, or comply with NYSDEC harvest reporting online or by phone for deer and turkey.

- Each hunter may only use one portable deer tree stand or ground blind. Tree stands must be removed at the end of each hunt session.

The proposal is compatible with the purpose of the refuge and the mission of the Refuge System (see the Compatibility Determination, Appendix A, in the Hunting Plan). Furthermore, the action is consistent with applicable laws and policies regarding the establishment of hunting on national wildlife refuges.

Public Review

The proposal has been thoroughly coordinated with all interested and/or affected parties. Parties contacted included NYSDEC. We notified the public through local venues, the refuge website,

and refuge social media. A 30-day comment period on the draft documents began on March 23, 2020. Due to the unprecedented pandemic response, the comment period was extended an additional 15 days, to May 7, for a total period of 45 days.

A total of five people submitted comments during the public review period for the two refuges of the Long Island NWR Complex (Seatuck NWR and Wertheim NWR) that published hunt plans. All of the commenters were supportive of the new or expanded hunting opportunities. Most of the comments applied to the hunts at both refuges.

Comment: "The opportunity to expand more hunting days at Wertheim would be an excellent way to balance the herd size with the surrounding habitat. Also a great safe outlet for the Long Island Hunter..."

Comment: "…having review the 2020 Deer Hunt Plan I am in full support of increased days of hunting and additional property locations for hunting. As a Suffolk county and Brookhaven town resident who believes in sound deer management… Thank you for a good plan."

Comment: "I had the chance to participate in the Wertheim NWR hunt in 2019. This was my first out-of-state hunt in my life. The staff were incredibly supportive of the hunt and the DEC representatives I met were friendly and helpful."

> RESPONSE: We appreciate the support, and remain interested in providing a variety of hunting opportunities for the public, which is supported by the Refuge System priority public uses policy. Sections 5(c) and (d) of the Refuge System Improvement Act states "compatible wildlife-dependent recreational uses are the priority general public uses of the Refuge System and shall receive priority consideration in planning and management; and when the Secretary [of the Interior] determines that a proposed wildlife-dependent recreational use is a compatible use within a refuge, that activity should be facilitated, subject to such restrictions or regulations as may be necessary, reasonable, and appropriate." Hunting is one tool used to manage and maintain wildlife populations at a level compatible with the environment while providing wildlife-dependent recreational opportunities and permitting the use of a valuable renewable resource. The refuge works closely with NYS DEC to manage the deer herd based on data they collect throughout the year, and we consult with them on deer hunting regulations. Secretarial Order 3356 also directs "greater collaboration with state, tribes, and territorial partners" which encourages better alignment of refuge-specific regulations with State regulations.

Comment: Historically, hunting-related purchases have been funding our wildlife conservation model. From various studies, a top reason for people quitting hunting or not starting hunting is access. Either access to game or access to lands. We have these wonderful public lands in the United States and if the State and Federal agencies agree that there is a huntable game population within a safely huntable property that land should be open to hunting. The reality on the ground on Long Island is that there are a lot of people and the population is not overly hunting friendly. I would love to see funds from the Pitman-Robertson Modernization Act to be used to educated local people on the importance of hunting in the North American wildlife conservation model.

RESPONSE: In our nation's early years, there were few laws protecting fish and wildlife and our wildlife resources took a heavy toll. Market hunters took fish and wildlife at will while habitat disappeared under plow and roads, resulting in devastating reductions in wildlife populations. Hunters, along with anglers, also were the driving force behind the North American Model of Wildlife Conservation, a set of wildlife management principles established more than a century ago that declare that wildlife belongs to everyone, not just the rich and privileged. Through the Federal Aid in Wildlife Restoration Act, more commonly known as the Pittman-Robertson Act, hunters fund a range of conservation programs. The act sends revenue from an excise tax on firearms, ammunition and other related equipment to state wildlife agencies to be used for wildlife conservation projects, hunter education and outdoor recreation access. Through Pittman-Robertson, sportsmen and women have contributed more than $14 billion to conservation since 1937. These annual payments to state fish and wildlife agencies have resulted in the recovery of deer, turkeys and many non-game species - with benefits to hunters and non-hunters alike. We will continue to reach out to hunters, anglers, and the public with information that will promote stewardship of our natural resources and increase public appreciation and support for the refuge.

Comment: Opening access for hunting is a great idea. Hunters should be allowed to access hunting areas by canoe as well not only by foot to be more successful.

RESPONSE: Accessing hunting units by canoe is permitted where landing is allowed. Landing is allowed only at Indian Landing and at the overlook on the east side of the Carmans River by the new headquarters building. There are no launching sites on the refuge currently. Potential launching sites off-refuge could include Carmans River Canoe Company or Squassux Landing; however, those locations are not owned or managed by the refuge.

No substantive changes were made to the plan based on the comments.

Determination

Based upon a review and evaluation of the information contained in the EA, as well as other documents and actions of record affiliated with this proposal, the Service has determined that the proposal to expand hunting on Wertheim NWR does not constitute a major Federal action significantly affecting the quality of the human environment under the meaning of section 102(2)(c) of NEPA. As such, an Environmental Impact Statement is not required. An EA has been prepared in support of this finding (Appendix B) and is available upon request to Wertheim NWR.

The Service has decided to select the proposed action as described in the EA, and implement the Hunting Plan for Wertheim NWR upon publication of the final 2020-2021 Station-Specific Hunting and Sport Fishing Regulations. This action is compatible with the purpose of the refuge and the mission of the Refuge System, and consistent with applicable laws and policies. See attached Compatibility Determination (Appendix A).

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Acting Regional Chief
National Wildlife Refuge System

Date