

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

The U.S. Fish and Wildlife Service (Service) is proposing to expand big game hunting opportunities for elk and deer on an additional 539 acres of the Willapa National Wildlife Refuge in accordance with the Refuge's Hunt Plan and Compatibility Determination for Big Game and Upland Game Bird Hunting (2011). In addition, the Service is proposing to open elk hunting opportunities on 2,181 acres that were previously proposed as part of the selected alternative in the Final Willapa NWR Comprehensive Conservation Plan and Environmental Impact Statement (2011).

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 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 attached Compatibility Determination);

ensuring the opportunities are consistent with existing State, local, and refuge-specific regulations (50 CFR §32.66);

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

complying with the National Environmental Policy Act (see attached);

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: _____

CATEGORICAL EXCLUSION CHECKLIST FOR NEPA COMPLIANCE

Proposed Action: Willapa National Wildlife Refuge (Refuge) is proposing to expand recreational elk and deer hunting opportunities on 539 acres of the South Bay and Nemah units (Figure 1). The Refuge is also proposing to open hunt-by-reservation and special permit elk hunting opportunities on 2,181 acres of the Leadbetter Point Unit in accordance with Washington State and refuge-specific regulations (Figure 2). Environmental effects related to recreational big game hunting, as well as elk hunting at Leadbetter Point, were analyzed in the Refuge's Hunt Plan and Compatibility Determination for Big Game and Upland Game Bird Hunting (incorporated into the Final Willapa NWR Comprehensive Conservation Plan and Environmental Impact Statement; 2011), which are incorporated herein by reference.

Categorical Exclusion: These proposed actions are covered by the following categorical exclusion: 516 DM 8.5 B (7): 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.

Discussion: The expansion of elk and deer hunting opportunities at the South Bay and Nemah units is addressed in the Refuge's Hunt Plan (2011) sections M.5.9.1 and M.5.9.2, where it states that elk and deer hunting areas on the Refuge will include any future acquisitions located in Washington Department of Fish and Wildlife (WDFW) GMU's 684 and 673 (which encompass the South Bay and Nemah units, respectively). Elk and deer hunting in expanded areas would occur in accordance with state and refuge-specific regulations (50 CFR §32.66). The expansion of 539 acres represents a 6.7% increase in the area currently open for big game hunting on the Refuge (Figure 1).

Elk hunting at the Leadbetter Point Unit is also addressed the Refuge's Hunt Plan (section M.5.9.3), where it states the "...entire [Leadbetter Point] unit (2,397 acres) would be open to the early elk muzzleloader season which typically lasts approximately five days in early October," and that the opportunity would be available by "special permit." Leadbetter Point has not been officially opened for elk hunting; however, the Refuge is now proposing to open 2,181 acres (of the originally proposed 2,397 acres) of the unit to the early elk muzzleloader season by special permit or by a hunt-by-reservation style opportunity administered through WDFW. The reduced acreage would be a result of limiting hunting to areas north of the Bearberry Trail, thereby minimizing conflict with other public uses (Figure 2). The Refuge is proposing to come into alignment with state regulations for that specific hunting season. The other aspects of elk hunting at Leadbetter Point, including occasional special permit elk hunts as determined after consultation with WDFW, would occur as described in the Hunt Plan.

The Refuge is proposing a minor increase in big game hunting acreage, targeting stable populations of elk and deer, in accordance with Washington State and refuge-specific hunting regulations. These actions would represent "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" and should therefore be categorically excluded from further NEPA analyses, because they have 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)).

The Endangered Species Act of 1973 (ESA) (16 U.S.C. § 1531 et seq.) directs all federal agencies to work to conserve endangered and threatened species and to use their authorities to further the purposes of the ESA. The Service evaluated the effects of this proposed action on species listed as threatened or endangered, or proposed for listing and on designated critical habitat through an ESA section 7 consultation (attached). The consultation determined that the proposed action may affect, but is not likely to adversely affect or adversely modify critical habitat for the streaked horned lark (*Eremophila alpestris*), green sturgeon (*Acipenser medirostris*), or western snowy plover (*Charadrius nivosus*). It would have no effect or adversely affect critical habitat for other listed species in the area.

The Service has determined that expanding the area for big game hunting is the type of undertaking that does not have the potential to cause effects on historic properties (36CFR800.3.a.1. the implementing regulations of Section 106 of the National Historic Preservation Act - NHPA). No ground disturbing activities are proposed and opening the area would not alter, directly or indirectly, any characteristic of a historic property. The undertaking may proceed without further consideration of NHPA Section 106.

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 (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).
- l. 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 Executive Order 11988 (Floodplain Management), Executive Order 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 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 have determined:

- The proposed action is covered by a categorical exclusion as provided by 43 CFR §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: _____

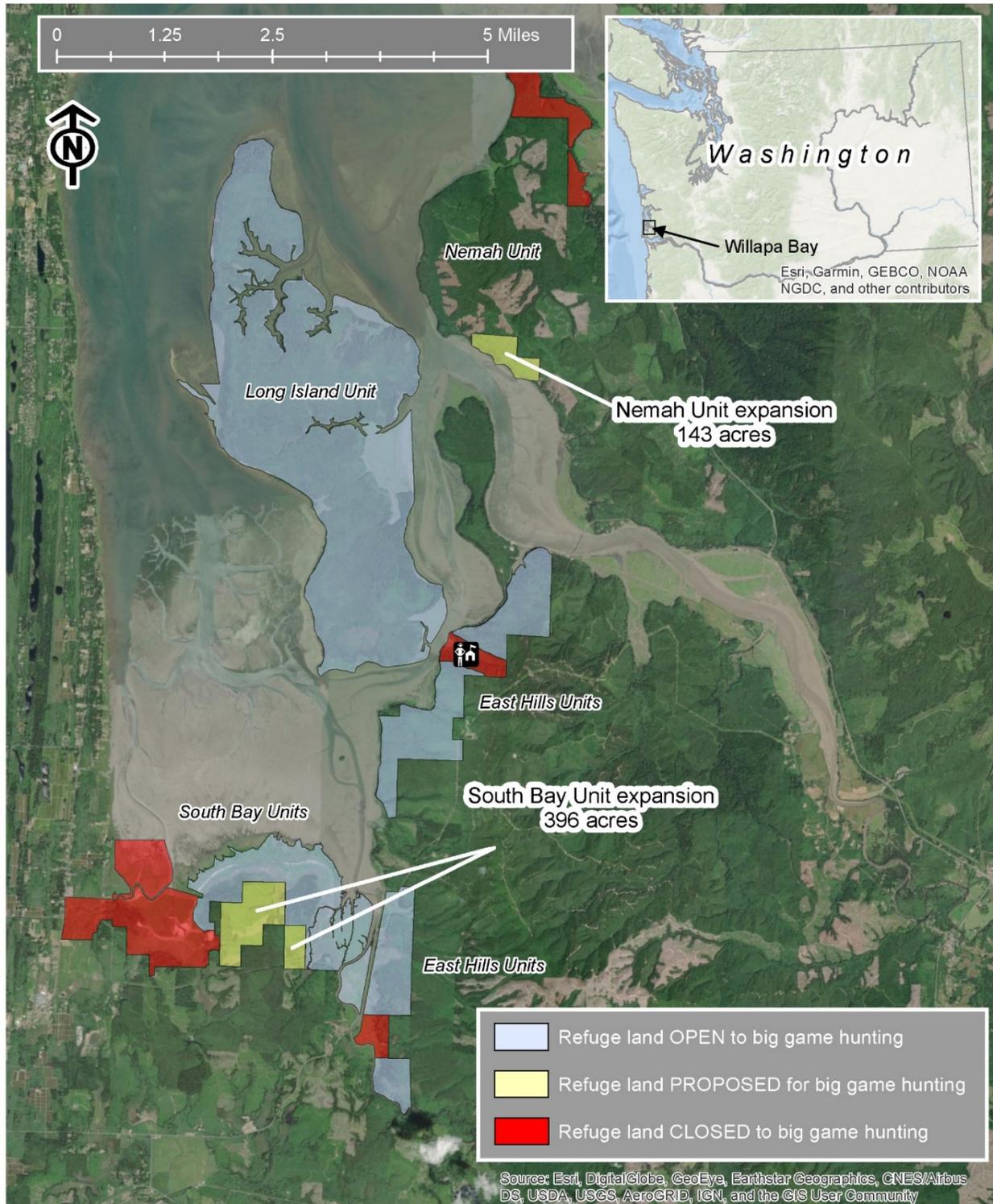
Title: _____



U.S. Fish and Wildlife Service

Willapa National Wildlife Refuge
Pacific County, Washington

**Willapa Bay
Big Game Hunt Map**



Last revision: January 2, 2020

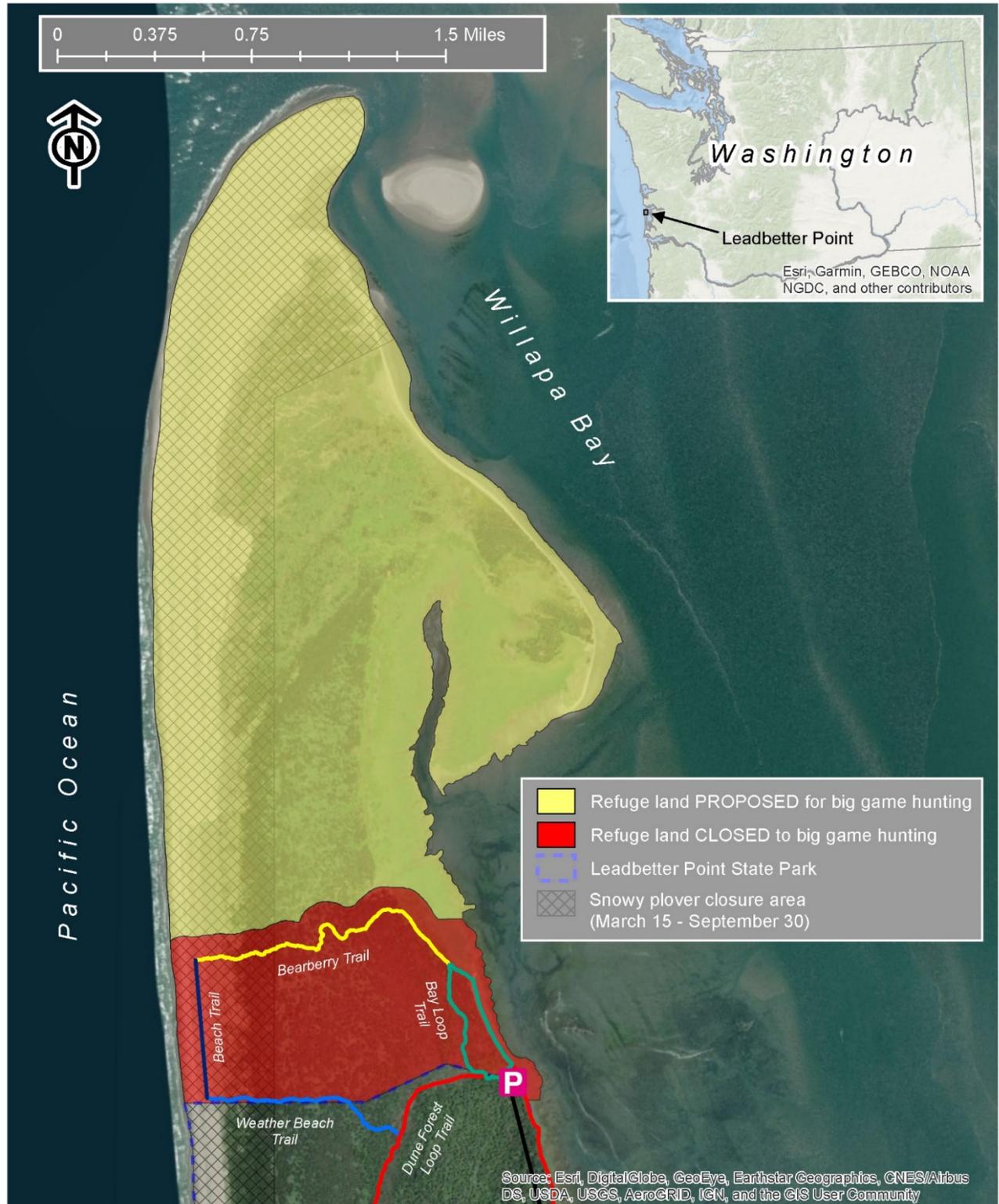
Figure 1. Big game hunting areas at Willapa National Wildlife Refuge (excluding the Leadbetter Point Unit).



U.S. Fish and Wildlife Service

Willapa National Wildlife Refuge
Pacific County, Washington

Leadbetter Point Unit
Elk Hunt Map



Last revision: December 18, 2019

Figure 2. Big game hunting areas at the Leadbetter Point Unit of Willapa National Wildlife Refuge.
Willapa NWR Categorical Exclusion and Section 7 Documentation for Hunt Expansion August 2020

ENDANGERED SPECIES ACT SECTION 7 CONSULTATION FORM
For
Expansion of Big Game Hunting at the Willapa National Wildlife Refuge

Refuge Name: Willapa National Wildlife Refuge
Address: 3888 State Route 101
Ilwaco, Washington 98624
Phone: (360) 484-3482

I. Project Overview

Proposed Action: Willapa National Wildlife Refuge (Refuge) is proposing to expand recreational elk and deer hunting opportunities on 539 acres of the South Bay and Nemah units. The Refuge is also proposing to open hunt-by-reservation, or special permit, early muzzleloader elk hunting opportunities on 2,181 acres of the Leadbetter Point Unit (within the existing hunting boundary) in accordance with state and refuge-specific regulations.

Hunt expansion area locations

- South Bay Unit: T10N, R10W, section 7 and T10N, R11W, section 12
- Nemah Unit: T11N, R10W, section 4
- Leadbetter Point Unit: T13N, R11W, sections 4, 5, 8, 16, & 17

A survey of federally listed species in and around Pacific County, Washington includes many species that are not found, or do not have appropriate habitat, in the proposed hunting areas. While we acknowledge that these species may occur in the county, we will not further analyze the effects on species or critical habitats that occur outside of the action areas. This list of species can be found in the *Determination of No effect / No adverse modification* section below (section II.A.).

There are no other species to consider for the proposed hunting areas at the South Bay and Nemah units. There are three species to consider at the Leadbetter Point Unit, which are green sturgeon, streaked horned lark, and western snowy plover. Each of these species has designated critical habitat within, or adjacent to, the proposed hunting area; however, the area is already open for public use (e.g., waterfowl hunting and hiking) and the effects of big game hunting were previously analyzed in the Final Willapa NWR Comprehensive Conservation Plan and Environmental Impact Statement (CCP; section 4.11.7; 2011). The Refuge's CCP states: "the proposed regulated elk hunt at Leadbetter Point would occur in the fall, and as such would occur after the snowy plover and streaked horned lark nesting seasons." Furthermore, the CCP states: "there should be little if any disturbance or effect to the marbled murrelet, snowy plover, or streaked horned lark from expansion of the hunting program, since many of these areas are not used by federally listed species during the time of year when hunting would be permitted (Leadbetter Point and upland forests)." The conditions at Leadbetter Point have not changed. The critical habitats for streaked horned larks and western snowy plovers are closed to public

access during the nesting season, which occur outside of the early muzzleloader elk hunting season. Green sturgeon critical habitat is located in the Pacific Ocean and Willapa Bay, where elk are general not found. While this action would provide additional opportunities for public use of critical habitats, it is unlikely to adversely affect these species or modify the critical habitats (section II.B.).

II. Effects Determination and Response Requested

Determination

A. No effect / No adverse modification

Species	Status	Critical habitat
Bull trout (<i>Salvelinus confluentus</i>)	Threatened	Yes
Eulachon (<i>Thaleichthys pacificus</i>)	Threatened	No
Gray whale (<i>Eschrichtius robustus</i>)	Endangered	No
Green turtle (<i>Chelonia mydas</i>)	Endangered	No
Killer whale (<i>Orcinus orca</i>)	Endangered	No
Leatherback turtle (<i>Dermochelys coriacea</i>)	Endangered	No
Loggerhead turtle (<i>Caretta caretta</i>)	Endangered	No
Marbled murrelet (<i>Brachyramphus marmoratus</i>)	Threatened	Yes
Northern spotted owl (<i>Strix occidentalis caurina</i>)	Endangered	Yes
Oregon silverspot butterfly (<i>Speyeria zerene</i>)	Threatened	No
Short-tailed albatross (<i>Phoebastria albatrus</i>)	Endangered	No
Yellow-billed cuckoo (<i>Coccyzus americanus</i>)	Threatened	No

B. May affect, but is not likely to adversely affect species/adversely modify critical habitat

Species	Status	Critical habitat
Green sturgeon (<i>Acipenser medirostris</i>)	Threatened	Yes
Streaked horned lark (<i>Eremophila alpestris</i>)	Threatened	Yes
Western snowy plover (<i>Charadrius nivosus</i>)	Threatened	Yes

C. May affect, and is likely to adversely affect species/adversely modify critical habitat (listed species)

None.

D. May affect, and is likely to adversely affect species/adversely modify critical habitat (proposed or candidate species)

None.

Evaluation by Project Leader:

1. For A & B above: Concurrence X Non-concurrence _____
2. For C above: Formal consultation required _____
3. For D above: Conference required _____

Signature: _____

Date: _____

Literature Cited

USFWS. 2011. Willapa National Wildlife Refuge Final Comprehensive Conservation Plan and Environmental Impact Statement. U.S. Fish and Wildlife Service. Portland, OR.