

**FINDING OF NO SIGNIFICANT IMPACT
PROVIDING GRANT FUNDS FOR
ARIZONA GAME AND FISH DEPARTMENT'S
SPORT FISH STOCKING PROGRAM**

This notice documents the decision concerning the proposed continued Sport Fish Restoration Act (SFRA) funding of the Arizona Game and Fish Department's Sport Fish Stocking Program and finding of no significant impact.

Federal Action

The Wildlife and Sport Fish Restoration Program (WSFR) proposes to fund, in part, the Arizona Game and Fish Department's (AGFD) Sport Fish Stocking Program for a 10-year period, from September 1, 2011 to August 31, 2021. In July 2011, AGFD received approximately \$7.9 million in Sport Fish Restoration Act funding. Although this amount varies from year to year, approximately \$2.5 was allocated to sport fish stocking and hatchery operations. AGFD fishing license and stamp revenues were used to provide the 25% match for the federal grant, providing total funding to the Sport Fish Stocking Program of \$3.3 million.

This action will contribute to the continued operations of AGFD hatcheries and the stocking of sport fish in selected rivers, streams, lakes, reservoirs, ponds, and tanks in the state. The Sport Fish Stocking Program includes operations and maintenance of five AGFD fish hatcheries that rear and supply a majority of the fish used in the stocking program, the acquisition of fish from outside sources, and the stocking of those fish into waters of the state of Arizona. The action area encompasses the state of Arizona and a variety of water bodies, including streams, rivers, natural ponds and lakes, and impoundments, including urban lakes. The subcatchments that include the stocking sites comprise approximately 23% of the state by area.

The WSFR proposes to continue to provide funding for the Sport Fish Stocking Program under the Dingell-Johnson Sport Fish Restoration Act of August 9, 1950, as amended (16 U.S. Code 777-777n). SFRA directs the Fish and Wildlife Service (FWS) to provide federal aid to states for "fish restoration and management projects designed for the restoration and management of all species of fish having material value in connection with sport or recreation in the marine and/or fresh waters of the United States." 50 CFR 80.5(b)(1) directs the Fish and Wildlife Service to use SFRA funds in "restoring, conserving, managing, and enhancing sport fish, and providing for public use and benefit from these resources. 16 U.S. Code 777 also states "The Secretary of the Interior is authorized and directed to cooperate with the States through their respective State fish and game departments in fish restoration and management projects". With the provision of federal funding, the AGFD Sport Fish Stocking Program is subject to compliance with the National Environmental Policy Act of 1969 (NEPA) 42 U.S. Code 4321 - 4327, as well as other applicable environmental laws and regulations. The FWS is the lead federal agency responsible for federal NEPA compliance; and the AGFD is the cooperating agency.

The Final Environmental Assessment (EA) has been prepared in accordance with NEPA, Council on Environmental Quality (CEQ) regulations (40 Code of Federal Regulations [CFR] 1500–1508), CEQ guidance on the “Appropriate Use of Mitigation and Monitoring and Clarifying the Appropriate Use of Mitigated Findings of No Significant Impact” January 14, 2011 (76 FR 3843), U.S. Department of the Interior Regulations (43 CFR 46), the FWS NEPA Reference Handbook updated October 1998, and the FWS NEPA Guidance to States Participating in the Federal Aid Program updated in October 2000.

Purpose and Need for Action

SFRA directs the Fish and Wildlife Service to provide federal aid to states for the management and restoration of fish having “material value in connection with sport or recreation in the marine and/or fresh waters of the United States.” To fulfill this legislative mandate, the FWS proposes to fund, in part, the AGFD’s Sport Fish Stocking Program.

The purpose of the proposed activity is to meet the current and future need and demand for angling opportunities through the continued use of SFRA funds to rear sport fish at AGFD hatcheries, acquire sport fish from outside sources, and stock sport fish into selected waters of Arizona, thereby fulfilling the SFRA legislative mandate and continuing to support the AGFD Mission.

The underlying need for the Sport Fish Stocking Program is the demand for recreational fishing in Arizona. Hundreds of thousands of residents and non-residents take advantage of recreational fishing opportunities each year. Based on 2006 numbers, there were 4,156,000 angler use days (AUDs)¹ of fishing in Arizona, with a total annual economic impact of \$1.3 billion (Southwick Associates 2007). The AGFD estimated a resident demand of 6 million AUDs through 2012, with some growth anticipated in nonresident demand (AGFD 2008). Demand for angling opportunities in Arizona is anticipated to further increase given current trends in population growth and projected growth models, especially for those areas in close proximity to urban area boundaries.

Alternatives Analyzed and the Selected Alternative

Three alternatives were analyzed that provide a range of recreational opportunities and impacts to biological resources: the Proposed Action, a Reduced Stocking Alternative, and the No Action Alternative.

Proposed Action

The Proposed Action would provide angling opportunities and socioeconomic benefits to the residents of the State of Arizona by stocking sport fish statewide, and providing for operations and maintenance at five state fish hatcheries.

For the Proposed Action, the current AGFD stocking program was used as a baseline, and potential new angling opportunities were added for the agency’s consideration. During initial development, six sites were removed completely from the Proposed Action, and an additional 78

¹ An AUD is one angler fishing one day, regardless of the length of time spent that day.

individual species stockings were removed from 34 sites (multiple species were removed from several sites).

During subsequent analysis and Endangered Species Act Section 7 consultation with the FWS Arizona Ecological Services Office (AESO), two additional sites were removed from the Proposed Action. Mormon Lake and Stoneman Lake were removed to eliminate potential impacts on the Northern leopard frog at these sites and because these lakes are not expected to provide substantial recreational opportunity due to repeated and prolonged drying. To further reduce potential impacts on native aquatic species, channel catfish and largemouth bass were removed from the species proposed for stocking in Mormon Lodge Pond.

Subsequent to the Draft EA public comment period, the Proposed Action was further modified to eliminate Fagen Tank from the list of proposed stocking sites. In addition, the species proposed for stocking were modified at 14 of the proposed stocking sites, (i.e., channel catfish and/or largemouth bass were eliminated from the list of species to be stocked, and at three sites these species were replaced with bluegill and redear sunfish). This modified Proposed Action is now referred to as the Selected Alternative, and would stock sport fish at 166 sites.

The Selected Alternative will continue the rearing of fish, mostly trout, at five AGFD hatcheries. Fish for stocking would be supplied primarily from the existing AGFD hatcheries (90% on average) and commercial vendors, with some fish supplied by federal or other state (outside Arizona) hatcheries.

The Selected Alternative incorporates the Conservation and Mitigation Program (CAMP) as part of the action analyzed in the EA. The CAMP offsets or reduces the effects of stocking action to the level of not significant and ultimately contributes towards conservation and recovery of native species. The CAMP development was a coordinated effort between WSFR, AESO, and AGFD. The Selected Alternative best meets the purpose and need of maximizing recreational angling opportunity, while minimizing potential impacts to native species. This alternative would also satisfy the purpose and need to meet the current and anticipated need and demand for recreational fishing opportunities in the state including stocking sites for fishing clinics and “Take a Kid Fishing Program” events.

The Selected Alternative also results in highest angler-related expenditures and highest overall economic value of any alternative analyzed. Annual economic value of stocking estimated at \$542.5 million in Arizona (FWS, 2011a), compared with \$174.3 million under the Reduced Stocking Alternative, and no economic value added from stocking under the No Action Alternative.

Reduced Stocking Alternative

With the Reduced Stocking Alternative, the WSFR would fund, in part, the AGFD Sport Fish Stocking Program at a reduced number of stocking sites. This alternative includes operations and maintenance of five AGFD fish hatcheries that rear and supply a majority of the fish used in the stocking program, the acquisition of fish from outside sources, and the stocking of those fish into 101 waters of the state of Arizona to provide opportunities for recreational fishing.

The intent was to analyze an alternative that would reduce or minimize the potential for impacts to sensitive species. This alternative would eliminate some of the stocking sites included in the Selected Alternative. The Reduced Stocking Alternative would continue the rearing of fish at the five existing AGFD hatcheries. Fish for stocking would be supplied primarily from the existing AGFD hatcheries and commercial vendors, with some fish supplied by federal or other state (outside Arizona) hatcheries.

The sites eliminated from the Proposed Alternative to create the Reduced Stocking Alternative were those that could result in the stocking of sport fish into waters known to support one or more threatened, endangered, or candidate species of fish, amphibians, or semi-aquatic reptiles (i.e., garter snakes). Inclusion of these sites would have the potential to result in the greatest likelihood of exposure between the stocked species and threatened, endangered, and/or candidate species of fish, amphibians, or semi-aquatic reptiles. Sites were also eliminated where stocking had a potential to result in overlap of species with threatened, endangered, and/or candidate species of fish, amphibians, or semi-aquatic reptiles from movement of the stocked species out of the stocking area or the protected species into the stocking area.

The Reduced Stocking Alternative would provide some support to AGFD's efforts to meet the current and anticipated future need/demand for recreational fishing opportunities, however, the level of stocking and the resultant decrease in quality and diversity of recreational fishing opportunities associated with this alternative would represent a notable decrease from those provided by the Selected Alternative (including some areas with high angler demand). For this reason, the Reduced Stocking Alternative would not best meet the project's purpose and need. With 65 fewer stocking sites, the beneficial effects of the Reduced Stocking Alternative to fishing recreation would be notably less than the Selected Alternative.

No-Action Alternative

Under the No Action alternative, the WSFR would not approve use of SFRA funding by the AGFD for stocking of sport fish. As a result, this alternative assumes that the AGFD would not engage in the stocking of sport fish, including Apache and Gila trout stocked for recreation, in Arizona. The federal funding would be used elsewhere by the AGFD. Under this alternative, the existing fish hatcheries used for the sport fish stocking program could be idled or decommissioned (i.e., operations terminated, fish removed, and equipment relocated), used for other federal aid-eligible projects, or sold to reimburse SFRA funds.

The No Action Alternative would not meet the purpose and need to meet the current and future need and demand for recreational angling opportunities.

Public Involvement

The preparation of the EA occurred over a three-year period during which time considerable consultation, public and agency outreach, and analysis was conducted. Scoping activities were undertaken by WSFR and AGFD in 2008. The agencies sought early public input for development of the alternatives, including three public scoping meetings (Phoenix, Tucson, and Pinetop). Comments received during the scoping process assisted in the development of the alternatives.

The Draft EA was released on March 10, 2011. The agency and public scoping notice and the Draft EA Notice of Availability were each distributed through notices to various media contacts including television, general-distribution newspapers, postings on agency websites and on-line listings, electronic distribution of notices to tens of thousands of e-mail addresses and listserv's, and through electronic distribution of e-newsletters. The Draft EA was featured in a number of newspaper articles and in a segment on ABC15 newscast and website.

The WSFR received 577 comment submittals (letter, fax, or e-mails) during the comment period. Of those comments, 376 specifically commented on one stocking site, La Paz County Park Lagoon, the site of a popular fishing clinic for kids. A Response to Comment document that lists all substantive comments received, and the written responses for each comment, is appended to the Final EA.

After review of public and agency comments received on the Draft EA, WSFR and AGFD chose to modify the Proposed Action including removal of one stocking site and modification of the species to be stocked at 14 sites. The CAMP was also revised to provide additional detail and clarification. The Final EA reflects these modifications, provides corrections to the document where warranted, and adds clarification as requested in public and agency comments. The changes are summarized on page "i" in the Final EA.

Significance of Effects on Human Environment

CEQ regulations state that we must look at the context and intensity of an action to determine significance. The context of this project does not rise to the national level, however, sport fish stocking under the Selected Alternative will have effects at State and local levels. The resources that will be affected by sport fish stocking are biological resources (native aquatic and semi-aquatic species), recreation and socioeconomics. This section is organized as follows: 1) discussion of the intensity of the effects of the Selected Action to biological resources, 2) discussion of the intensity of the effects of the Selected Action to recreation and socio-economics, and 3) discussion of intensity of the effects of the Selected Action to other categories and resources as required by CEQ regulations. The Selected Alternative is not significant for the following reasons:

Biological Resources

Impacts to native species were identified as the only adverse effects of implementing the Selected Alternative. However, this alternative will not result in jeopardy to endangered species or the adverse modification of critical habitat. If this action resulted in jeopardy or adverse modification, then it would be significant because it would move these species closer to extinction. This action does not do that. In fact, the action mitigates for adverse effects to the species by mitigating the effects of the action through conservation measures found in the CAMP. The analysis supporting this conclusion is found in the comprehensive analysis in the EA, Biological Assessment (BA), and the Draft Biological Conference and Opinion (draft BCO). Generally, those documents conclude:

- No jeopardy to consultation species and no adverse modification of critical habitat.
- Adverse effects on 14 listed species (seven with designated critical habitat and two with proposed critical habitat), four candidate species, and two species under consideration for candidate status.
- May affect but not likely to adversely affect nine listed species, three of which have designated critical habitat, and three candidate species.
- Negative effects on 6 non-listed other special status fish species and 1 non-listed other special status frog.

As part of the Selected Alternative, the AGFD will implement mitigation measures to avoid, offset, reduce, or otherwise minimize environmental impacts associated with the Selected Alternative. The Sport Fish Stocking CAMP would be enacted to minimize impacts of the action over 10 years through implementation of mitigation measures including:

- Implementation of substantial mitigation measures, including removal of threats from aquatic systems and watershed planning.
- Implementation of substantial mitigation measures including transition to production and stocking of triploid rainbow trout and securing or establishing new populations of listed species.
- Implementation of additional mandatory conservation measures identified in the CAMP.

To implement the CAMP, AGFD will commit an average of \$500,000 per year for 10 years for a total commitment of \$5 million. This \$5 million will be a net increase in funding over current funding of AGFD programs toward conservation of CAMP species. Mitigation and conservation measures employ a watershed management approach that would benefit aquatic communities in general. The CAMP provides for the mitigation necessary to minimize on-site effects (e.g., stocking of triploid rainbow trout) and offset those that cannot be minimized through off-site conservation actions such as removal of threats and reintroduction of native species.

Recreation and Socioeconomics

Of the three alternatives under consideration, the Selected Alternative would stock sport fish at the greatest number of stocking sites distributed across the state, thereby accommodating the highest level of angler demand and providing the most comprehensive range of angling opportunities/locations. The actions found in the Selected Alternative are the most comparable to the current stocking program, and would provide a similar benefit or even increased recreational and socioeconomic benefit over the current stocking program while also reducing and offsetting negative effects (through the substantial mitigation measures of the CAMP).

With the Selected Alternative, impacts on recreation and socioeconomics would be direct and indirect and primarily beneficial in nature. The degree of benefit to recreation and socioeconomics from stocking would vary across the state.

Similar to the current stocking program, the stocking of 166 sites would continue to provide a variety of recreational opportunities for fishing across the state, including warm-water and cold-

water fisheries, multiple species of fish, a range of settings from lakes in urban areas to rural streams and lakes, and various stocking management approaches (e.g., put-and-take, put-grow-and take, and sustained yield).

The Selected Alternative includes the stocking of 58 lakes in urban areas (21 lakes in the Urban Sport Fish Stocking Subprogram, 15 in the Fishing in the Neighborhood Subprogram, and 22 in the Statewide Sport Fish Stocking Subprogram) and 108 sites at other locations throughout the state. The majority (31) of the lakes in urban areas included in the Proposed Action are in the Phoenix Metro area, followed in density by the city of Williams, with six lakes. The remaining 21 lakes in urban areas are located in 12 cities or towns of various population sizes across Arizona, including Tucson, Show Low, Yuma, and Pinetop. These lakes may provide the only fishing opportunities for anglers residing in each urban area who have no access to more remote locations in Arizona. Additional recreational opportunities are provided to meet projected demand; therefore, overall angler satisfaction is expected to be similar to, or higher than, the existing program.

In addition, the Selected Alternative will enhance opportunities (such as fishing clinics) for outdoor recreation for youth, supporting angler recruitment, and getting people more engaged in outdoor recreation. Lakes in urban areas are commonly used for angler education courses, including outdoor skills education for youth. Stockings are conducted specifically in support of these events. The Selected Alternative will enhance opportunities for youth outdoor recreation, encouraging adolescents to spend time outdoors.

Economic benefits from the Selected Alternative are expected to be similar to, or higher than current economic benefits from sport fish stocking. The benefits will result in the highest angler-related expenditures and highest overall economic value of the alternatives. Annual economic value of stocking is estimated at \$542.5 million in Arizona (FWS, 2011a). The Selected Alternative would have a substantial beneficial impact on local and statewide socioeconomics compared to the other alternatives, and is comparable to the current stocking program. For many small, rural communities, fishing is a primary attraction, and local businesses depend on the income generated from anglers. A reduction in stocking sites from selection of another alternative could result in adverse economic impacts to some local communities.

Resources and Categories not discussed above:

1. Impacts that may be both beneficial and adverse.
 - The resources that will be affected by sport fish stocking are biological resources (native aquatic and semi-aquatic species), recreation and socioeconomics. Please see the section above for more detail.
2. The degree to which the proposed action affects public health or safety.
 - The Selected Alternative will not affect public health or safety by the action of stocking sport fish. Air quality impacts of the action alternatives are limited to vehicle emissions associated with stocking truck

operation, and indirectly from anglers' vehicles traveling to and from stocking sites. These effects are below de minimis levels and do not differ substantially among the alternatives. Potential water quality effects from the action alternatives are minimal and are addressed through the issuance of Arizona Pollutant Discharge Elimination System permits administered by the Arizona Department of Environmental Quality and the U.S. Environmental Protection Agency.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

- Historic or cultural resources: The proposed project is not considered to be an undertaking under Section 106 of the National Historic Preservation Act because it would have no potential to affect cultural resources.

- Park lands: The possibility of impacts to the Grand Canyon National Park was analyzed in the BA, the draft BCO, and EA, and determined that potential escape of stocked fish to National Park lands is low based on movement potential of stocked fish, thermal barriers, long distances from the stocking sites to the park and hydrology (including major waterfalls ranging from 50 to 196 feet in height).

- Prime Farmland: The Selected Alternative will not affect farmlands, as stocking would not occur on farmland, or modify it in any way.

- Wetlands: The Selected Alternative will not result in the placement of dredged or fill material in wetlands. Indirect effects of stocking include trampling by anglers and disturbance/soil compaction by vehicles but would be expected to be limited in extent and would not represent a change from current conditions.

- Wild and Scenic Rivers: Designated Wild and Scenic Rivers in the state are limited to 16.8 miles of Fossil Creek from the confluence of Sand Rock and Calf Pen canyons to its confluence with the Verde River and 40.5 miles of the Verde River from near Beasley Flat to the confluence of Red Creek. Several proposed stocking sites are below Beasley Flats on the Verde River; however, the Selected Alternative will not involve any ground disturbance. Recreational opportunities created by stocking generally do not conflict with management directives for Wild and Scenic Rivers.

- Ecologically Critical Areas: Impacts of stocking in critical habitat was analyzed by AESO in the draft BCO and found to have no adverse modification to any critical habitat. Indirect effects of stocking include trampling by anglers in stream and wetland habitats, and disturbance/soil compaction by vehicles but would be expected to be limited in extent and would not represent a change from current conditions.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

- Primarily, two viewpoints were provided in comments from the public. The first is a concern over impacts to native species with requests to limit stocking. The second is made by the angling public supporting the Selected Alternative, and in some cases, requesting increased stocking. We believe controversy over effects of the action are alleviated by the selection of a modified alternative (withdrawing sites and species to be stocked at certain sites) that responds to concerns about native species, while retaining some stocking sites with high angler use and mitigating those effects to native species.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

- Effects to the human environment by stocking sport fish to species were analyzed in the BA, draft BCO, and the EA. The analysis of effects from the Selected Alternative on native species was conducted at one or more of three spatial scales of resolution: individual stocking site, subcatchment, and regional scale. These represent a range of geographic scales at which direct effects generally have the most potential to occur (stocking site) to those where potential effects are progressively more separated in time and space (i.e., indirect effects) from proposed stocking activities (subcatchment and regional). The risks of exposure and interactions between species were evaluated using the best available information.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

- The Selected Alternative would not establish a precedent for future actions. Sport fish stocking has been occurring in Arizona since the 1870s, and would not constitute a new action.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

- Please see the information under the Cumulative Effects Section below.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

- The Selected Alternative is not considered to be an undertaking under Section 106 of the National Historic Preservation Act because it would have no potential to affect cultural resources.

Cumulative Effects

Effects from the Selected Alternative and from cumulative effects could extend beyond the 10-year project period. The potential for establishment of new populations of stocked sport fish was considered in the analysis (in the draft BCO for consultation species and EA for non-consultation species). On average, 90 percent of fish stocked come from state hatcheries, and of those, 88 percent are rainbow trout which will all be stocked as triploids within three years. Of all the sites proposed for stocking, most either already support populations of the same species or are not suitable for establishment of self-sustaining populations of stocked species. Most sites have also been stocked in the past and none of the species proposed for stocking are new to the watershed into which they will be stocked. The potential for stocked fish to escape a stocking site is considered in detail in the BA, draft BCO and the EA. In general, the potential for stocked fish to establish new populations is limited by the physical habitat conditions that characterize both receiving and intervening waters. In many (but not all) stream systems, the presence, persistence, and establishment of the warm water species proposed for stocking has not been documented despite their repeated stocking in the lentic habitats upstream from those systems. With some exceptions, most waters proposed for stocking with rainbow trout are not suitable for the establishment of self-sustaining populations. In summary, the potential effects are limited and have been considered in the analysis and mitigated for by actions found in the CAMP. The positive effects to special status species from implementation of the CAMP will also extend beyond the 10 year period. Though the CAMP is a 10 year program that will be operated concurrent with the 10 year stocking action, many of the benefits of the CAMP will be long lasting and accrue well beyond the 10 year project period. CAMP measures are intended to mitigate and minimize impacts and contribute towards recovery of several species. Benefits to CAMP species will be realized beyond the 10 year program implementation period and will continue to offset negative effects from the Selected Alternative that may continue to occur beyond the 10 year period. Beneficial outcomes of measures such as threat removal, watershed plan development, establishing new populations, and others will continue beyond the 10 year period (e.g., reestablished populations are expected to persist into the foreseeable future).

Mitigation

Mitigation/conservation measures would be implemented to avoid, reduce, offset, or otherwise minimize environmental impacts associated with the Selected Alternative. Per CEQ guidelines "Agencies may also commit to mitigation measure to support a mitigated FONSI, so as to complete their review of potentially significant environmental impacts without preparing an EIS". The AGFD has developed the CAMP for species potentially affected by proposed sport fish stocking activities. The measures identified in this mitigation and conservation program target consultation species addressed in the draft BCO and other special status aquatic and semi-aquatic species identified in the EA. Mitigation associated with the Selected Alternative includes measures that address existing threats such as the presence of nonnative aquatic species or loss of habitat. Performance standards are built into the CAMP that incorporate adaptive management

through use of a suite of commonly used and widely accepted management and research tools to obtain desired environmental outcomes. These mitigation measures would reduce or offset stocking impacts and would contribute towards recovery of native species, bringing the impacts to native species below the level of significant. Actions include the conversion to triploid trout within three years, and securing and protecting several populations of listed species (see below). A full list of actions to be implemented and additional information is found in Chapter 5 of the Final EA.

Partial List of Mandatory Mitigation Measures

Species	Mitigation Action
Chiricahua leopard frog	3 populations will be secured or reintroduced
Headwater chub	3 populations will be secured or reintroduced
Roundtail chub	3 populations will be secured or reintroduced
Loach minnow	2 populations will be secured or reintroduced
Northern leopard frog	2 populations will be secured or reintroduced
Northern Mexican garter snake	2 populations will be secured or reintroduced
Narrow-headed garter snake	2 populations will be secured or reintroduced
Other special status aquatic and semi-aquatic species	<p>The AGFD shall contribute to the conservation of other special status aquatic and semi-aquatic species through the removal of key threats. The AGFD shall address two threats impacting these species and associated aquatic communities within each of the following sub-watersheds/ catchments:</p> <ul style="list-style-type: none"> • Verde River sub-basin • Salt River sub-basin • Middle Gila sub-basin • Little Colorado River sub-basin • Bill Williams sub-basin <p>A total of ten threats will be addressed with implementation of this action. The timeframe for completion will be four threats addressed by year four, two more by year six, two more by year eight, and two more by year ten.</p> <p>The AGFD shall contribute to the conservation of other special status aquatic and semi-aquatic species through planning using a watershed approach. The AGFD shall apply its Watershed-based Fish Management Process to develop aquatic species management plans for all priority watersheds in the state. The planning process will include consideration for special status species and identify conservation opportunities for incorporation within the planning framework. Special status species will benefit through identification of focal management areas and restoration needs that can be prioritized into multiple land management programs and funding sources in a coordinated approach. For the first priority watershed, planning will begin within the first year and be completed by the third year.</p>

To ensure mitigation measures are conducted, the AGFD will report on progress, expenditures, and implementation annually over the 10-year period. The FWS (both WSFR and AESO), will review the annual report and evaluate progress to date. At the end of Year 3, Year 6 and in Year 10, the AESO and WSFR will assess progress of CAMP using the following measures:

- Population responses from reestablishment or securing actions based on defined criteria.
- Measurable reduction in threats to non-listed aquatic and semi-aquatic species from CAMP actions. For example, this would include a measurable reduction or complete elimination of problem nonnative species or a measurable improvement in habitat quality.
- Sufficient progress toward completion of other mandatory activities as listed in the CAMP.
- Evaluation to determine whether intended magnitude of the mitigation measures has been achieved for all CAMP species.
- Contribution towards recovery of BCO species in the action area.

Only if suitable progress is made toward meeting these measures, as determined by WSFR and AESO, will grant funds be eligible for use in implementing the Statewide Sport Fish Stocking Program. If unforeseen circumstances arise that affect the effectiveness of CAMP measures or ability to complete measures, provisions have been included in the CAMP to use an adaptive management approach to select new or modify existing measures that would provide the same or better benefit as the actions that are modified or eliminated.

Funding and Authority to Implement Mitigation

Guidance from the Council of Environmental Quality directs agencies to provide mitigation that is reasonably certain to occur. To reach that conclusion there must be a funding source and authority to accomplish the mitigation. It also states that “In developing mitigation, agencies necessarily and appropriately rely upon the expertise and experience of their professional staff to assess mitigation needs, develop mitigation plans, and oversee mitigation implementation”.

To implement the CAMP, AGFD will commit an average of \$500,000 per year for the 10 year CAMP period. There will be multiple funding sources for implementation of this program. Funding sources that may be used to support the CAMP include, but are not limited to, any combination of the following: Sport Fish Restoration Act funds, Arizona Heritage Fund, Game and Fish fund, Wildlife Conservation Fund, and other eligible funds. Funding sources that are received by the AGFD and committed to other required mitigation projects, such as the Central Arizona Project, or funds specifically dedicated such as the National Fish and Wildlife Foundation for Apache trout will not count towards this CAMP funding.

Authority to manage and regulate wildlife, including fish, in Arizona is provided under Arizona Revised Statute (ARS) Title 17. ARS Title 17 also outlines AGFD and AGFC authorities related to funding, the taking, handling, and management of wildlife (including regulations and licenses), fish hatching, and fish culture.

Some of the actions (e.g., establishment of new populations) will be located on U.S.D.A. Forest Service (USFS) and possibly, Bureau of Land Management (BLM) managed lands. The Arizona

Game and Fish Commission (AGFC) has a Master Memorandum of Understanding (October 2, 2007) with the BLM that establishes the AGFD's authority to manage fish and wildlife populations. The Master MOU is backed by a Joint Policy Statement (August 25, 2008) that restates that the parties will work cooperatively to manage resources on public lands and that the AGFD's mandate to meet statutory trust responsibilities to manage fish and wildlife populations is supported by the BLM. The AGFC also has a master MOU with the USFS which recognizes the AGFC and AGFD as having primary responsibility for managing fish and wildlife populations consistent to state and federal laws.

In addition to these agreements, the AGFD holds a Federal Fish and Wildlife Permit which authorizes activities for scientific purposes or to enhance the propagation and survival of federally listed species (ESA § 10(a)(1)(A)). The AGFD also has ESA § 6 authorities to manage threatened and endangered species.

AGFD has a long history and experience in managing aquatic resources and successfully implementing conservation activities that benefit native species. AGFD has existing personnel with expertise in development and implementation of large scale conservation and recovery projects. Examples of successful program implementation include conservation and recovery projects for Apache trout (multiple barrier and stream restoration projects), Gila trout (Fry and Grapevine creek restorations), Chiricahua leopard frogs, bald eagles, and a number of other native fish species in Fossil Creek and other locations. In addition, AGFD staff has experience in implementing several similar mitigation programs and are currently implementing large components of mitigation programs for other agencies such as Bureau of Reclamation and Salt River Project.

Summary

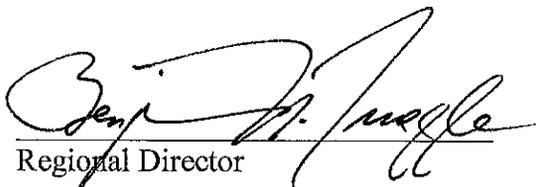
Many potential effects of the stocking action to native species have been reduced or otherwise minimized through careful development of the Selected Alternative and mandatory measures contained in the CAMP. However, the CAMP goes further to offset remaining effects to listed and non-consultation species through several measures that will result in benefits to these species. We anticipate the magnitude of benefits that will be provided by the CAMP are higher than that of the effects from the stocking action. Effects to native aquatic species from the stocking action in the Selected Alternative are anticipated at the individual level and population level but loss of populations is not anticipated based on the non-jeopardy opinion for

consultation species and the EA analysis for non-consultation special status species. However, the CAMP will result in establishment of new populations and other measures will provide beneficial population-level effects to the same species affected by the stocking action. The measure to address threats will have substantial population scale benefits often over and above the impacts caused by the Selected Alternative.

Finding

Based on information presented in this document, public and agency comment, and the analysis contained in the supporting EA, BA, and the draft BCO for the funding of the AGFD Sport Fish Stocking Program, FWS finds that the Selected Alternative will not have significant effects on the quality of the human environment within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969. Accordingly, the preparation of an environmental impact statement is not required. Reasons for this decision include:

1. There are no significant impacts to threatened or endangered species or other special status species by the Selected Alternative. Direct impacts to fish and wildlife have been analyzed on a site by site basis, and would not result in jeopardy to any species or adverse modification to any critical habitat. Any negative impacts to listed and other non-consultation species will be reduced or offset below a level of significance by the implementation of actions identified in the CAMP.
2. Economic benefits of angling resulting from stocking are maintained.
3. The Selected Alternative will meet the current and future demand for recreational angling opportunities in Arizona.


Regional Director

8/17/2011
Date

References

- 43 C.F.R. § 46. Implementation of the National Environmental Policy Act of 1969.
- 76 FR 3843. 2011. Final Guidance for Federal Departments and Agencies on the Appropriate Use of Mitigation and Monitoring and Clarifying the Appropriate Use of Mitigated Finding of No Significant Impact (40 CFR 1500-1508).
- AGFD. 2008. "Wildlife Program–Sportfish Subprogram Operational Plan 2010–2011." http://www.agfd.gov/inside_azgfd/documents/SportfishOpPlan070427.pdf.
- CEQ. 1986. Council on Environmental Quality's Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (40 CFR 1500-1508)
- FWS. 1998. NEPA Reference Handbook." http://www.fws.gov/r9esnepa/NEPA_HANDBOOK2.pdf
- _____. 2000. "NEPA Guidance to States Participating in the Federal Aid Program." FWS, Sheperdstown.
- _____. 2011. "Biological Assessment for Arizona Sport Fish Stocking Program." FWS, Albuquerque.
- _____. 2011a. "Environmental Assessment for Arizona Sport Fish Stocking Program." FWS, Albuquerque.
- _____. 2011b. "Draft Biological and Conference Opinion for Arizona Sport Fish Stocking Program." FWS, Phoenix.
- Southwick Associates. 2007. "Sportfishing in America: An Economic Engine and Conservation Powerhouse." Produced for the American Sportfishing Association, Alexandria, Virginia, with funding from the Multistate Conservation Grant Program.