

FINDING OF NO SIGNIFICANT IMPACT
Regarding
Issuance of an Endangered Species Act 10(a)(1)(B) permit
for incidental take of the Olympia subspecies of
Mazama pocket gopher (*Thomomys mazama pugetensis*)
in conjunction with the Meier Group LLC Habitat Conservation Plan,
Thurston County, Washington

The U.S. Fish and Wildlife Service (Service) is proposing to issue a Section 10(a)(1)(B) incidental take permit (ITP) under the Endangered Species Act of 1973 (16 USC 1531-1544), as amended (ESA), to the Meier Group LLC (Applicant). The ITP would authorize incidental taking of the threatened Olympia subspecies of Mazama pocket gopher (*Thomomys mazama pugetensis*) (the covered species), in association with actions related to vegetation removal (including the use of heavy equipment and trucks to clear and remove debris from the site), site preparation activities (such as excavation, grading, soil re-distribution, and soil storage on-site), and construction activities (including materials delivery and staging, erecting forms and laying concrete and paved porous parking lot surfaces, and constructing the commercial building and associated structures) (collectively, the covered activities) on an approximately 6.4 acre site located at 6400 Linderson Way SW, Tumwater, Thurston County, Washington. The Applicant prepared a Habitat Conservation Plan (HCP) that describes minimization and mitigation measures that will be implemented to reduce and offset the effects of the proposed taking on the covered species. The Applicants requested an ITP duration of five years.

The proposed issuance of an ITP by the Service is a Federal action that may affect the human environment and is therefore subject to review under the National Environmental Policy Act of 1969, as amended (NEPA; 40 CFR 1505.2). An Environmental Assessment (EA), hereby incorporated by reference, analyzed the effect to the human environment from three alternatives, the No Action alternative, the Proposed Action alternative, and an alternative describing avoidance of the Covered Species and its habitat where it exists on the proposed project site.

Decision Rationale

Following a detailed review and analysis of the EA and the HCP, the Service has selected the Proposed Action alternative because it provides the greatest net conservation benefit for the covered species. Implementation of the Proposed Action is not expected to result in any significant adverse effects to the human environment. This decision is based on the following information:

Covered Species

- Over the duration of the ITP, activities covered by the Meier Group HCP will result in take of the covered species where they may occur on the project development site.
- Proposed mitigation measures will compensate for unavoidable take impacts by securing land occupied by the covered species and providing for permanent habitat management on the site thereby contributing to the long-term conservation of species.

- The Service anticipates that implementation of the HCP will result in net conservation benefits that will contribute toward the recovery of the covered species. The Meier Group HCP will offset the impacts of the taking of the covered species anticipated to occur on the project development site in Thurston County with permanently managed land that will expand the amount and quality of protected habitat for the covered species. The existing habitat on the project development site consists of a mowed power line right-of-way located within a fragmented matrix of existing and proposed development. The permanent conservation site is within an area identified by the Service as important for the conservation and recovery of the Olympia subspecies of Mazama pocket gopher, and will expand the total area conserved for the benefit of the species.
- Protection of the proposed conservation site will ensure that this area of occupied habitat will expand the amount of conserved Mazama pocket gopher habitat adjacent to the only designated critical habitat for the Olympia subspecies of Mazama pocket gopher. The site is currently zoned for commercial and industrial development in an area experiencing growing demand for commercial, industrial, and warehouse facilities. Removing future subdivision and development rights and dedicating the site to habitat management will prevent future fragmentation of occupied habitat.

Human Environment

- No significant impacts to any other species of fish and wildlife were identified.
- No significant impacts to the human environment including climate, air quality, noise, geology, soils, vegetation, fish and wildlife, recreation, archaeological, historic, cultural, socioeconomic, environmental justice, or transportation were identified.

Description of the Alternatives

No Action Alternative

Under the No Action Alternative, the Service would not issue the requested ITP and the Applicant's proposed HCP would not be implemented. Under this alternative, the Applicant would not construct the proposed commercial office building, and the property would be maintained in its current condition. The Applicant would not implement the proposed HCP and no habitat would be conserved and managed in perpetuity to benefit the pocket gopher. The invasive, non-native Scot's broom (*Cytisus scoparius*) currently present on the site would continue to grow unchecked on the northern half of the property, while the grassy area beneath the Bonneville Power Administration transmission lines currently occupied by pocket gophers would continue to be periodically mowed. The habitat quality on the property would be expected to remain in its current state or further degrade, and no conservation measures benefitting the pocket gopher would be implemented.

Proposed Action Alternative

The Proposed Action Alternative is the issuance of the requested five-year ITP based on the Applicant's HCP. Under this alternative the Applicant would develop and construct the proposed project and implement the conservation program described in the HCP. The proposed project would entail clearing most of the 6.4-acre property of trees, brush, invasive Scot's broom, degraded grassland and other vegetation in preparation for construction of a two-story commercial office building and associated parking areas. The newly constructed office building and associated parking areas would cover all of the property except the approximately 0.7 acre that would be avoided to prevent impacts to the guy-wires associated with the overhead Bonneville Power Administration transmission lines. The Applicant's proposed conservation program would permanently conserve the Bush Prairie Farm mitigation site. This site is currently zoned for commercial and industrial development, and the Applicant's conservation program would strip all future development and subdivision rights from this parcel to prevent future habitat fragmentation. The conservation program would include a Conservation Easement that would be held by a non-governmental third party and which would provide for ongoing permanent funding and management of this site for the benefit of the pocket gopher to the performance standards described in the HCP.

Avoidance Alternative

The Avoidance Alternative would require preventing all impacts to pocket gophers that could be affected by construction or development on the Project site. Because all impacts to the listed species would be avoided under this alternative, no take would occur, no HCP would be developed and no ITP would be issued. To avoid impacts to the pocket gopher, about 2.7 acres of the property would remain undeveloped. All clearing, site preparation, construction staging, building assembly, and paving would occur within a reduced footprint sited to avoid any impacts to the listed species. Under this alternative the Applicant would not implement any HCP or long-range conservation plan to provide permanent conservation benefits for the pocket gopher or contribute to the recovery of the species.

Public Involvement and Review

A Notice of Availability (NOA) for the draft HCP, application for an ITP, and draft EA was published in the Federal Register on October 26, 2015 (80 FR 65238). Public review and comment on the draft HCP, the ITP application, and the draft EA was solicited and the review and comment period was open through December 28, 2015. The Federal Register notice referenced the Service's Washington Fish and Wildlife Office's web site for availability of the draft documents. Options to respond included electronically, by telephone, or in writing. In addition to the Federal Register NOA, we forwarded a news release through our news distribution service to targeted media outlets in western Washington and Seattle and published a copy on our website (www.fws.gov/wafwo/). The Service sent the news release to the local and Washington D.C. staff for U.S. Representative Heck and U.S. Senators Cantwell and Murray.

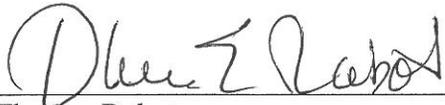
The Service received one public comment submitted via email to *wfwocomments@fws.gov*. The written comment did not provide substantive comments that required changes to the draft HCP, the draft EA, or other response. The full text of the single comment received has been appended to the EA as "Appendix B. Public Comments Received".

Conclusions

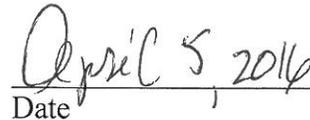
Based on review and evaluation of the information contained in the supporting documents, I have determined that the Proposed Action alternative is not a Federal action that would significantly affect the quality of the human environment, within the meaning of section 102(2)(c) of the National Environmental Policy Act of 1969, as amended. The action considered is not of a nature that would normally require preparation of an environmental impact statement, and is not of a type, context, or intensity that is without precedent. Accordingly, the Service is not required to prepare an environmental impact statement for this action. Therefore, the Service has made a Finding Of No Significant Impact as allowed by NEPA regulation and supported by Council on Environmental Quality guidance.

This Finding of No Significant Impact and supporting documents are on file and available for public inspection, by appointment, at the following U.S. Fish and Wildlife Office:

Washington Fish and Wildlife Office
150 Desmond Drive SE, Suite 102
Lacey, WA 98503



Theresa Rabot
Deputy Regional Director, Region 1
U. S. Fish and Wildlife Service


Date