

OCT 6 1999

SCREENING FORM FOR LOW-EFFECT HCP DETERMINATIONS

I. Project Information

A. Project name: Douglas County Trail Project on the Maytag Property (Maytag Trail)

B. Affected species: Preble's Meadow Jumping Mouse (*Zapus hudsonius preblei*)

C. Project size (in acres):

Trail	= 1.35 acres
Trailhead	= 1.40 acres
Overlook	= 0.23 acres
Total	= 2.98 acres

D. Brief project description including minimization and mitigation plans:

Douglas County (County) purchased the 150-acre Maytag property, with the assistance from the Division of Wildlife (DOW), primarily for the protection and preservation of the Preble's meadow jumping mouse and its habitat. From the purchase's inception, the County and DOW envisioned and agreed to allow limited public access to a specified area of the property. The project will consist of a main trail (composed of a natural surface and eight feet wide), and minor loops (natural surface of four feet or less). This project has been designed to avoid impacts to the mouse through trail design, realignment, proposed uses, and restrictions on use of the trail, so as to have minimal effects on the mouse and its habitat.

Because the property was purchased with the intent of preserving Preble's habitat, the County has allowed DOW the opportunity to perform extensive studies on the property. As a result of DOW's study efforts this summer, more information about the mouse's activities is known about this property. This information has allowed the County to delineate a trail that balances the mouse's use of the property with the objective of allowing some limited public access. However, constructing a trail to completely avoid mouse habitat on this property is not possible.

As part of the proposed action, the following measures will be implemented to avoid or otherwise minimize potential adverse affects of the project on the Preble's meadow jumping mouse: (1) The County will work with the Division to design and implement habitat improvements within the trail corridor that offset potential effects to the mouse and its habitat; (2) along with construction of the trail, the County and DOW will perform a research study designed to identify and analyze any potential affects of trail construction and use on the ability of the mouse to utilize the area; (3) trail uses will be restricted to hiking, biking, and equestrian use; (4) the trail will be restricted to day use only; and (5) containment of domestic animals will be required.

II. Does the HCP fit the low-effect criteria in the HCP Handbook? *The answer must be “yes” to all three questions below for a positive determination. Each response should include an explanation.*

A. Are the effects of the HCP minor or negligible on federally listed, proposed, or candidate species and their habitats covered under the HCP prior to implementation of the mitigation plan? (Handbook pg. 1-8 and 1-9) *In making this determination, actions undertaken by the applicant to avoid “take” are not considered mitigation.*

Yes. There is a possibility for minor adverse affects as a result of trail construction. However, these impacts are considered to be negligible because: (1) the area of listed species habitat to be affected is very small. None of the proposed trail alignment occurs in riparian habitat associated with the East Plum Creek floodplain. The trail crosses two intermittent drainages. These crossings comprise about 0.09 percent of the total trail area. Woody riparian vegetation does not extend from East Plum Creek into these drainages. (2) disturbance is not expected to appreciably reduce any food resource, affect day nesting behavior, or affect reproduction. Modifications to listed species habitat is so limited that impacts to the species can be considered negligible. No other federally listed, proposed, or candidate species occur on the Maytag Property, therefore, the project will not affect any proposed or candidate species or their habitats.

B. Are the effects of the HCP minor or negligible on other environmental values or resources (e.g. air quality, geology and soils, water quality and quantity, socio-economic, cultural resources, recreation, visual resources, etc.) prior to implementation of the mitigation plan? (Handbook pg. 1-8 and 1-9) *In making this determination, actions undertaken by the applicant to avoid “take” are not considered mitigation.*

Yes. Impacts to the geology of the area are anticipated to be minor because negative impacts to the soil would be of minimal scope.

Water quality of the area should not be affected because ground disturbing activities will not be conducted in East Plum Creek or its floodplain, increasing the risk of sedimentation, or affect ground water. Sediment barriers (e.g., silt fencing or hay bales) will be used at the crossings of the intermittent drainages to minimize any sediment associated with construction from reaching East Plum Creek.

Air quality will not be significantly impacted because of the small construction site and limited duration of construction; emissions from construction related activities would be localized and limited to short periods of time.

No known cultural sites exist on the site, therefore, no impacts to cultural resources are anticipated.

No major changes in land use or the socio-economic environment are expected to occur as a result of implementing the HCP.

Implementation of the HCP is likely to beneficially affect recreational activities in the area.

Visual resources of the area will not be affected due to the temporary nature of the disturbance, and because the Maytag Property will remain in permanent open space.

C. Would the impacts of this HCP, considered together with the impacts of other past, present and reasonably foreseeable similarly situated projects not result, over time, in cumulative effects to environmental values or resources which would be considered significant? (Handbook pg. 5-3). *The same concept is also included in the exception to categorical exclusions, III. F. below.*

No significant cumulative effects are expected to occur as a result of project implementation. The loss of about 3 acres within the 150-acre Maytag Property (none of which occurs within the riparian habitat associated with East Plum Creek and its floodplain), which has been purchased and preserved for the benefit of the Preble's meadow jumping mouse, in conjunction with scientific research to determine whether trails adversely affect Preble's use within a known occupied site will not result in significant cumulative effects to this species.

III. Do any of the exceptions to categorical exclusions apply to this HCP? (from 516 DM 2.3, Appendix 2) *If the answer is "yes" to any of the questions below, the project can not be categorically excluded from NEPA. Each "no" response should include an explanation.*

Would implementation of the HCP:

A. Have significant adverse effects on public health or safety?

No. The area affected by the project is very small, making impacts to resources such as air and water negligible resulting in no impacts to public health or safety.

B. Have adverse effects on such unique geographic characteristics as historic or cultural resources, park, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks?

No. There are no wilderness areas, wild or scenic rivers, refuge lands, sole or principal drinking water aquifers, or prime farmlands in the area. Currently existing structures on the Maytag Property will not be affected by this project. The project will have a

beneficial affect on open space recreation in the area. Although wetlands and floodplain are in the area, these resources would not be affected because the ground disturbing activities would not be conducted in these areas or result in indirect impacts to these resources. In addition, sedimentation infiltrating to East Plum Creek as the result of project construction will be prohibited.

C. Have highly controversial environmental effects?

No. Given the limited nature of the impacts, there is no scientific controversy over environmental effects. Two issues that could be associated with the proposed issuance of an incidental take permit for this project are: (1) the potential take of Preble's meadow jumping mice or suitable habitat; and (2) the potential for loss of the aesthetic scenic value of the landscape along Interstate Highway 25. Given that the trail has been designed to avoid and minimize adverse impacts to the mouse and that the remainder of the 150-acre Maytag Property will remain in open space, the Service believes that the environmental effects of the proposed trail will pose no controversy.

D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?

No. Construction of the proposed trail does not pose highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. The short-time frame during which construction would occur, the small acreage that would be affected, and the retention of a large percentage of the landscape in open space, all contribute to precluding unknown risks. Douglas County Open Space and the Colorado Division of Wildlife have committed to a post-construction research and monitoring program to help determine the potential effect of the trail and trail use on the mouse. The construction of the trail presents a unique opportunity because DOW has pre-construction information on the mouse and its movement. The research and monitoring program will help to identify and resolve any unknown risks of trail construction and use in the future.

The County and DOW will submit a copy of the research and monitoring plan to the Service for their review and records.

E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?

No. Future actions would be reviewed on their own merits. However, in this case the proposed trail will have minimal impacts, therefore issuance of the permit would not establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

F. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects?

No. Implementation of the HCP is not directly related to other actions with significant cumulative environmental effects. The remainder of the Maytag Property will be managed by the County for open space and the protection of ecological resources.

G. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places?

There are no properties listed or eligible for listing on the National Register of Historic Places within the Maytag Property.

H. Have adverse effects on listed or proposed species, or have adverse effects on designated Critical Habitat for these species? Consider the degree or amount of take and the impact of the take on the species. Although take may occur under project implementation, it may be so minor as to result in negligible effects. The same concept applies when considering effects to critical habitat.

Although take of Preble's meadow jumping mice may occur in the form of harassment and habitat modification as a result of trail construction and use, the impacts are expected to be minimal. Additionally, the associated scientific research on the effects of trails on use by Preble's meadow jumping mice will reduce potential future impacts of trail construction. No statutory critical habitat has been designated or proposed for this species, therefore, none will be affected.

I. Have adverse effects on wetlands, floodplains or be considered a water development project thus requiring compliance with either Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act?

No. The project will not occur in wetlands or floodplains or impact wetlands or floodplains and thus does not require compliance with either Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act.

J. Threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment?

No. Implementation of the HCP does not threaten to violate any Federal, State, local, or tribal law or requirement imposed for the protection of the environment. All other Federal and State regulations shall be adhered to.

IV. ENVIRONMENTAL ACTION STATEMENT

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. Based on the analysis above, the Maytag Trail HCP qualifies as a "Low Effect" HCP as defined in the U.S. Fish and Wildlife Service *Habitat Conservation Planning Handbook*. Therefore, this action is categorically excluded from further NEPA documentation as provided by 516 DM 2, Appendix 1 and 516 DM 6, Appendix 1. The supporting documents include the Habitat Conservation Plan, Finding and Recommendations, and Biological Opinion.



(1) Field Supervisor

9-3-99
Date

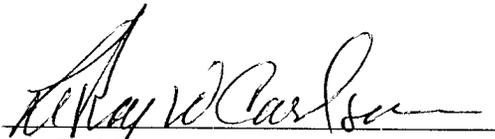
Concurrence:

(2) Geographic ARD

Date

IV. ENVIRONMENTAL ACTION STATEMENT

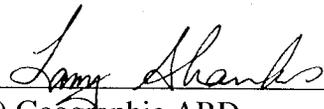
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Concurrence:



(2) Geographic ARD

10/6/99
Date