

the Final CCP EIS. Mr. John T. Moran, Jr., Chairman of the State of Nevada Board of Wildlife Commissioners (Commission), sent a letter confirming the Commission's unanimous decision to support the Service's selection and adoption of preferred Alternative E in the Final CCP EIS, provided no administrative changes to the intent of Alternative E as written were made. Comments on the Draft CCP EIS submitted by the Nevada Division of Wildlife sponsored working group were considered during development of the preferred Alternative E in the Final CCP EIS, and were incorporated into the Service's revised position as presented in Planning Update #7 (July 2001) for public review. No substantive changes were made from the information presented in the update, and this information was used to develop the visitor services, habitat management, and wildlife management options presented in Alternative E.

Ms. Lisa B. Hanf, Manager of the Federal Activities Office, U.S. Environmental Protection Agency (EPA), Region IX, submitted comments in support of the Service's decision to select preferred Alternative E for implementation and expressed appreciation for the Service's response to their comments regarding the Draft CCP EIS. Ms. Hanf further noted that EPA was currently working with the Service, U.S. Geological Survey, and the University of Nevada, Reno to identify measures that will reduce mercury transport to the wetlands, and appreciated the Service's attempts to identify potential mitigation strategies to improve the quality of water entering the wetlands. The Service is committed to improving the quality of water entering the wetlands and, as noted, has identified a number of mitigation strategies which could be used. The Service appreciates the opportunity to continue working closely with EPA and other entities actively involved in restoring the environmental health of wetland habitats at Stillwater NWR.

Churchill County Chair Gwen Washburn submitted comments reiterating the County's opposition to the refuge's proposed water management program and the proposed boundary revisions due to perceived impacts to the local economy, County and private inholdings and ground water resources. The County provided similar comments on the draft CCP/EIS and the Service provided detailed responses to the County's comments in the Final CCP/EIS. The Service has provided clarifications in response to Churchill County comments on the Final CCP/EIS under separate letter. No

new information was received that would alter the conclusions contained in the Final CCP/EIS.

Environmentally Preferable Alternative

The alternative which causes the least damage to the biological and physical environment and best protects, preserves, and enhances historic, cultural, and natural resources is Alternative C, Option 1.

The focus of Alternative C, Option 1, was to manage the Stillwater NWR by using water management to simulate natural hydrologic processes to restore and maintain natural biological diversity. Another primary element was to increase the balance between the needs of wildlife resources and the recreational needs of a rapidly expanding local and regional population base, while providing equal emphasis to priority wildlife-dependent recreational uses. Additional sanctuary would have been provided in the area currently open to public use and access would have been restricted to open roads with vehicle pullouts. Boat access during waterfowl hunting season would have been restricted to 15 horsepower outboard motor boats with a 5 miles per hour restriction on speed, and a no boating designation would have been applied to some wetland units. Alternative C, Option 1, did not represent the best balance between resource conservation and public use when compared to Alternative E.

Findings and Basis for Decision

Based upon review and careful consideration of the impacts identified in the Final CCP EIS; results of the various studies and surveys conducted in conjunction with the Draft and Final CCP EIS; public comments received throughout the process including comments on the Draft and Final CCP EIS; and other relevant factors, including the purposes for each refuge established pursuant to Public Law 101-618 (104 Stat. 3289), and other statutory and regulatory guidance; the Service finds that:

(1) Alternative E consists of the components, programs, and facilities described above.

(2) Alternative E, as it is described in the Final CCP EIS for the Stillwater National Wildlife Refuge Complex, provides the best balance between accomplishing the purposes for which Stillwater NWR and Anaho Island NWR and statutory mission of the Service to provide long-term protection of the Refuges' resources and allowing for appropriate levels of visitor use and appropriate means of visitor enjoyment. Alternative E accomplishes identified

management goals and desired future conditions.

(3) Alternative E represents the best balance between provision of habitat restoration, public access and recreation, and other programs, and public and agency concerns identified during the public participation process.

(4) Based on an Intra-Service Section 7 evaluation, no state or federally listed endangered or threatened species or their critical habitats are known to be adversely affected by Alternative E. Implementation of the decision will avoid significant adverse impacts on wetlands and is not likely to adversely affect any endangered or threatened species, or result in destruction or adverse modification of critical habitat of such species. The Service has determined that implementation of Alternative E will result in a beneficial effect to bald eagle, and is not likely to adversely affect threatened Lahontan cutthroat trout or endangered cui-ui.

(5) No historic properties listed in or eligible for listing in the National Register of Historic Places are known to be affected by the plan.

(6) The requirements of NEPA and the implementing regulations (40 CFR Parts 1500-1508) have been satisfied.

Measures To Minimize Environmental Harm

Public concerns, potential impacts, and methods or stipulations to mitigate those impacts are addressed in the Final CCP EIS. All practicable measures to avoid or minimize environmental impacts that could result from implementation of the selected action have been identified and incorporated into the selected action. Implementation of the selected action will avoid any adverse impacts on wetlands and any endangered or threatened species, and will not result in the destruction or adverse modification of critical habitat of such species. Mitigation measures, called stipulations, that will be followed are documented in Appendix O, Compatibility Determinations, in the Final CCP EIS. These stipulations make public and other uses compatible with the purpose for which the refuge was established. The referenced compatibility stipulations ensure that all practical means to avoid or minimize environmental harm from implementation of Alternative E have been adopted.

The Service has considered the environmental and relevant concerns presented by agencies, organizations and individuals on the proposed action to develop and implement a comprehensive conservation plan and boundary revision for the Stillwater