

## **ENVIRONMENTAL ACTION STATEMENT AND CATEGORICAL EXCLUSION CHECKLIST FOR NEPA COMPLIANCE**

### **Proposed Action:**

We propose to conduct hazard fuel reduction activities on Pinckney Island National Wildlife Refuge using mechanical methods, such as vegetation mulching, whole tree chipping, and/or other Service approved mechanical operations. Additionally, we propose to follow mechanical operations with selective herbicide treatment and planting of longleaf pine seedlings. We intend to accomplish the action on sites dominated by mixed pines and/or Chinese tallow trees that are scattered throughout the 645-acre treatment area. All live oak and other hardwood dominated hammocks will be excluded from mechanical tree removal operations. The proposed action includes longleaf pine planting using hand crews to plant containerized longleaf pine seedlings. The proposed action is part of a broader project to reduce hazard fuels, control invasive species, and enhance forest resiliency in the face of environmental and climate changes. The proposed action would be accomplished with the goals of improving habitat diversity and enhancing future wildlife viewing opportunities while complying with Section 7 of the Endangered Species Act and Section 106 of the National Historic Preservation Act.

The following stipulations would be strictly enforced to minimize impacts from the proposed action:

- All treated vegetation would be mulched to soil level and/or chipped and hauled off site.
- All areas of desirable live oak and other hardwood dominated hammocks scattered across the project site are to be excluded from all mechanical operations.
- The existing longleaf pine stand is only to be treated for Chinese tallow, sweetgum, and other invasive or undesirable hardwood regeneration using foliar and hack-n-squirt applied herbicides. No mechanical treatments would be used in these stands.
- All Chinese tallow trees encountered during mechanical operations would be mulched/chipped to soil level.
- Equipment operators would avoid all wetlands that are intermixed throughout the treatment area, including temporary and ephemeral wetlands after rain events.
- Operations would be suspended if weather conditions are such to cause excessive rutting and/or damage to access roads.
- Refuge biologists and the refuge managers have the authority to halt operations anytime for unfavorable weather, damage to non-target vegetation, or non-cooperative operators.
- The contractor shall be responsible for repairing any damage done by field crews to gates, fences, access roads, signs, structures, and any other infrastructure.
- Refuge biologists and the refuge managers shall monitor all operations with frequent, on-site inspections.
- No littering would be tolerated and all garbage, including empty containers of hydraulic fluid, engine oil, and other materials must be removed daily.
- All equipment used by the contractor would be clean of off-site soil and plant material,

prior to entering the Refuge. If equipment leaves the work site for any reason it would be cleaned prior to re-entering the refuge. This requirement is to limit the potential for spread of exotic and invasive plants onto the refuge.

- Contractor shall take every precaution necessary to prevent damage to trees left behind.
- Where safe to do so, snags should be left standing in place.
- Areas of coarse, woody debris would be left in place, randomly scattered throughout the treatment area, at a rate of at least 1 ton per acre
- All operations should follow South Carolina's Best Management Practices for Forestry as minimum standards for environmental protection (South Carolina Forestry Commission n.d.).
- The refuge would take reasonable actions to educate visitors about the purpose and duration of the tree harvesting process to minimize adverse impacts on visitors. The refuge would also clearly mark areas where tree harvesting is occurring to ensure visitors' safety. Contractors would place orange cones adjacent to daily operation areas along all nearby established trails and roads (USFWS 2024a). Daily use of the main road by contractors in and out of the refuge is of paramount concern regarding visitor safety. The refuge's visitor services staff would develop notification signage to inform visitors of any ongoing work. All information would be regularly updated on refuge websites and social media as conditions change, so as to minimize impacts to visitors to the greatest practical extent.

Regarding the use of pesticides on units of the National Wildlife Refuge System (NWRS), the Service only uses pesticides registered by the U.S. Environmental Protection Agency (EPA) and approved through the Service's Pesticide Use Proposal process, which includes Section 7 Intra-Service consultation under the Endangered Species Act; these processes analyze and address health and environmental concerns related to specific pesticides. For the use of pesticides on units of the NWRS, the Service adheres to the U.S. Department of the Interior's Pesticide Use Policy (517 DM 1), the Service's Integrated Pest Management Policy (569 FW 1), and other applicable policies including the Service's Biological Integrity, Diversity, and Environmental Health Policy (601 FW 3). When using approved pesticides on units of the NWRS, the Service follows all EPA label requirements and implements best management practices (BMPs) identified during the PUP analysis and/or the Section 7 Endangered Species Act consultation to provide an additional level of protection to refuge resources. The refuge's Comprehensive Conservation Plan (CCP)/Environmental Assessment/Finding of No Significant Impact (USFWS 2010, 2011) included general discussion regarding the use of pesticides on the refuge in support of refuge management goals and objectives.

Goals and objectives outlined in the Refuge's Comprehensive Conservation Plan that support this action include:

- **Goal 2.** Protect, maintain, enhance, and where appropriate, restore suitable habitat for the conservation and management of migratory and resident fish, wildlife, and native plants, including all federal and state threatened and endangered species endemic to the region. Preserve and enhance wilderness values of designated Wilderness, consistent with the establishing purposes.
  - **Objective 2.12.c:** Pinckney Island NWR – Habitat Management - Invasive

Species: Within 3 years of the date of this CCP, prioritize the need for the removal or control of nuisance/exotic/invasive plants and animals on the refuge that are hindering the ability to meet habitat/population objectives.

- **Objective 2.14.c:** Pinckney Island NWR – Fire Management: Within 5 years of the date of this CCP, maintain wildfire response programs and evaluate the use of prescribed fire to achieve healthy habitats and reduce fuels.
- **Objective 2.15.c:** Pinckney Island NWR – Forest Management: Over the 15-year life of this CCP, expand active management of forests as outlined in a forest management plan.

**This proposed action is covered by the categorical exclusions listed below**

- 516 DM 815 (B)(2): The operation, maintenance, and management of existing facilities and routine recurring management activities and improvements, including renovations and replacements which result in no or only minor changes in the use, and have no or negligible environmental effects on-site or in the vicinity of the site.
- 516 DM 815 (B)(5): Fire management activities, including prevention and restoration measures, when conducted in accordance with Departmental and Service procedures.
- 516 DM 815 (B)(6): The reintroduction or supplementation (e.g., stocking) of native, formerly native, or established species into suitable habitat within their historic or established range, where no or negligible environmental disturbances are anticipated.

**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 refugelands; 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 and no extraordinary circumstances in 43 CFR 46.215 apply. No further NEPA documentation will therefore be prepared. See attached Section 7 Endangered Species Act, Section 106 National Historic Preservation Act, and Compatibility Determination required documents associated with the Categorical Exclusion.**
- An Extraordinary Circumstance could exist for the proposed action and so an EA/EIS must be prepared.**

**Other supporting documents (*list*):**

South Carolina Forestry Commission. n.d. *South Carolina's best management practices for forestry*. 65 pp. <https://www.scfc.gov/wp-content/uploads/2021/03/best-management-practices-manual.pdf>

U.S. Fish and Wildlife Service (USFWS). 2010. *Draft comprehensive conservation plan and environmental assessment Savannah Coastal Refuge Complex*. U.S. Department of the Interior, Fish and Wildlife Service, Southeast Region, Atlanta, Georgia. 553 pp.

U.S. Fish and Wildlife Service (USFWS). 2011. *Savannah Coastal National Wildlife Refuges Complex comprehensive conservation plan*. U.S. Department of the Interior, Fish and Wildlife Service, Southeast Region. 367 pp.  
<https://ecos.fws.gov/ServCat/Reference/Profile/20277>

U.S Fish and Wildlife Service. 2024. *Pesticide use proposal system. Approved pesticides for use on Savannah Coastal Refuges*. U.S. Department of the Interior, Fish and Wildlife Service. Savannah Coastal Refuges Complex.

U.S. Fish and Wildlife Service. 2024. *Prescribed fire plan for Pinckney Island National Wildlife Refuge*. U.S. Department of the Interior, Fish and Wildlife Service. Savannah Coastal Refuges Complex.

**Service signature approval:**

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Title \_\_\_\_\_