

**Environmental Assessment for Lopez Island Native American Graves
Protection and Repatriation Act (NAGPRA) Re-interment**

OR134-2013-0013-EA

Bureau of Land Management
Spokane District
Wenatchee Field Office

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1. Introduction

The Bureau of Land Management (BLM) received a request for re-interment of remains removed from BLM administered land on Lopez Island in San Juan County, Washington. The Lummi Nation, Samish Nation, and the Swinomish Indian Tribal Community requested the remains be re-interred near the location where the remains were recovered. Custody of the remains was transferred from BLM jointly to the Lummi Nation, Samish Nation, and the Swinomish Indian Tribal Community. The tribes requested remains collected and repatriated by University of Washington's Burke Museum be re-interred at the same location.

1.1 Proposed Action Summary

The BLM proposes to re-inter remains subject to the authorities of the Native American Graves Protection and Repatriation Act (NAGPRA) on BLM administered lands on Lopez Island.

1.2 Background and Project Location

In accordance with BLM policy (BLM Handbook 8120 and WO IM 2007-002), respect is the foundation for all decisions regarding reburial of American Indian and Alaska Native human remains and cultural items on BLM lands and BLM officials are expected to be sensitive to the diversity of tribal cultural beliefs. All activities and documentation related to reburial of American Indian and Alaska Native human remains and cultural items shall be kept confidential to the extent authorized by law. Pursuant to the National Historic Preservation Act of 1966, as amended, the specific location of the interment will not be disclosed in this document.

Remains recovered from lands currently administered by BLM were transferred by BLM and repatriated by the Burke Museum to the Lummi Nation, Samish Nation, and the Swinomish Indian Tribal Community. The tribes seek to return the remains to the locations from where they were recovered and requested the BLM re-inter the remains in a suitable location near the location of their recovery. BLM guidance allows for NAGPRA materials encountered during the course of disturbance activities to be reburied as close as possible to the location of recovery.

The BLM administered lands at Point Colville/ Watmough Bay are located about 9 miles south of Lopez Village, in the southern extent of Lopez Island, within San Juan County. The BLM administered lands are located in the following locations:

Location	Legal Description	Acres
Point Colville/ Watmough Bay ACEC	T.34N., R.1W., Sections 16, 17, 21, Lot 6	400

The public lands are administered by the Wenatchee Field Office, Spokane District BLM and are managed as an Area of Critical Environmental Concern (ACEC) to preserve their natural values. The Federal Land Policy and Management Act (FLPMA) of 1976 defines ACECs as "areas within the public lands where special management attention is required (when such areas are developed or used or where no development is required) to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources or other natural systems or processes, or to protect life and safety from natural hazards."

In keeping with the direction to manage acquired lands on Lopez Island as prescribed in the

Final Planning Analysis, Environmental Assessment and Proposal Decision Record for the Proposed Iceberg Point and Point Colville Areas of Critical Environmental Concern, June 1990, management is generally limited to monitoring use, recreational activities, and maintaining the values that qualify the parcels for ACEC designation.

Point Colville/Watmough Bay ACEC is one of only a few areas on Lopez Island where visitors can access a public beach and walking trails. As a result, this site receives approximately 15,000 visitors a year including boaters, seasonal visitors, and permanent residents (U.S. Department of the Interior, 2006).

On March 25, 2013, the President proclaimed the San Juan Islands a National Monument with a goal of protecting the unique cultural and biological resources on the islands. The proclamation states that, “protection of these lands in the San Juan Islands will maintain their historical and cultural significance and enhance their unique and varied natural and scientific resources for the benefit of all Americans”. Archaeological and historic cultural resources, diverse habitats, and a plethora of wildlife species present on the islands laid the foundation for the proclamation.

1.3 Purpose and Need

Need: The BLM *Reburial Policy on BLM Lands* (WO IM 2007-002) allows re-interment of remains on public lands subject to the authorities of the NAGPRA and other authorities, including BLM policy. The reburial of American Indian and Alaska Native human remains and cultural items is a discretionary action within the agency’s administrative authorities. Tribal requests for reburial of ancestral human remains and cultural items are, in general, closely tied to repatriations of those remains and objects by the BLM under the terms of NAGPRA. The National Historic Preservation Act and E.O. 11593 provide for protection of cultural resources from natural and human caused deterioration ensuring cultural resources are safe guarded from improper use and maintained for the public interest.

Purpose: To re-inter remains subject to NAGPRA at a suitable location on BLM administered land in response to requests from the Lummi Nation, Samish Nation, and the Swinomish Indian Tribal Community.

1.4 LUP Conformance Review

A land use plan that applies to BLM lands in this area has not been completed. In accordance with land use planning regulations (43 CFR 1610.8 (b)(1)), when an action is proposed on public lands not covered by an existing land use plan, an environmental assessment, or environmental impact statement if necessary, plus any other data and analysis necessary to make an informed decision will be used to assess the impacts of the proposal and to provide a basis for a decision on the proposal. Designation of an ACEC is a land use plan decision. Although not a full land use plan, the proposed action complies with the management direction for Lopez Island as set forth in the *Spokane BLM District Final Planning Analysis, Environmental Assessment and Proposal Decision Record for the Proposed Iceberg Point and Point Colville Areas of Critical Environmental Concern*, which became the final decision in June 1990.

On March 25, 2013, the BLM administered lands in the San Juan Archipelago were designated as the San Juan Islands National Monument by Presidential Proclamation in accordance with the

American Antiquities Act of 1906. The area is to be managed for the conservation, protection, and restoration of the resources, objects, and values for which it was designated, pursuant to its designating authority, the FLPMA, the Omnibus Public Lands Management Act of 2009, and Secretarial Order 3308. The designation supplants the BLM's overarching multiple-use and sustained-yield mandate, pursuant to FLPMA Section 302(a).

1.5 Applicable Laws, Regulations, and Policies

This Environmental Assessment is consistent with and considers the following laws, regulations and policies:

- The National Environmental Policy Act (NEPA) of 1969 as amended (42 U.S. C 4321 et seq.)
- The Federal Land Policy and Management Act (FLPMA) of 1976 (43 U.S.C. 1739)
- The Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 et seq.)
- BLM 6840 Manual on Special Status Species
- Migratory Bird Treaty Act of 1918, 16 U.S.C. 703-712, 50 C.F.R. 1
- Bald and Golden Eagle Protection Act of 1972, 16 U.S.C. 668

Laws, regulations, and policies protecting cultural resources on public lands:

State

- Revised Code of Washington (RCW) 27-44, 27-53

Federal

- 36 Code of Federal Regulation (CFR) 800
- National Historic Preservation Act (NHPA) of 1966, as amended
- Archaeological Resource Protection Act of 1979, as amended
- Native American Graves Protection and Repatriation Act (1990)
- American Indian Religious Freedom Act of 1978, as amended
- Executive order 13007
- Executive Order 11593

Federal laws protecting paleontological resources:

- Paleontological Preservation Act 2009
- The Federal Land Policy and Management Act of 1976 (43 U.S.C. 1739)

1.6 Summary of Public Involvement / Scoping Activities

In March 2012, the BLM notified the Washington Department of Archaeology and Historic Preservation (DAHP), the Lummi Nation, Samish Nation, and the Swinomish Indian Tribal Community of plans to re-inter NAGPRA remains. DAHP concurred with a finding of "No Adverse Effect to Historic Properties".

1.7 Issues Identified

The following issues or factors have been identified by the project Interdisciplinary Team (ID Team), a team of resource specialists, for further analysis or consideration in the EA.

Cultural Resources

- Would re-interment affect cultural resources or Native American interests?

1.8 Issues Eliminated from Further Analysis

The following list of issues and concerns were identified by the ID Team but have been eliminated from further consideration for the reasons listed below:

Hazardous Materials

There are no hazardous materials as part of this action.

Recreation

The project would not likely have any impact on recreation due to the limited duration and extent.

Visual Resources

The project would not likely have any impact on visual resources due to the limited duration and extent. The minimal amount of disturbance, and the localized and screened impact, would preclude impacts to visual resources.

Wildlife

Project design features of the proposed action allow for modification or relocation of re-interment sites to avoid impacts to Special Status wildlife. Given the relatively small footprint of the project (<100 square feet), use of only non-motorized equipment and incorporation of the project design features: no impacts to wildlife were identified that could reasonably be expected to be of significant context or intensity to warrant further analysis.

Climate Change

The Council on Environmental Quality (CEQ) has determined it is important to consider climate change when an analysis of the direct and indirect effect of Green House Gasses (GHG) emissions from proposed actions “may provide meaningful information to decision makers and the public”. The CEQ established, “meaningful information” as carbon emissions from a proposed action emitting over 25,000 metric tons be considered for analysis (Sutley 2010). By comparison “the average American generates [only] 20 tons of carbon dioxide (CO₂) every year, about the same amount as three new cars” (Union of Concerned Scientists 2006). Overall emissions from the Proposed Action would be negligible compared to these standards.

Vegetation/ SS Plants

BLM Special Status plant species do occur on South Lopez lands. Any proposals would be in areas away from known BLM Sensitive plant locations. Also, due to the small footprint (100 square feet) proposed for an individual re-interment, as well as the length of time between re-interment proposal and implementation, proposed areas would be surveyed. If any sensitive plants were identified in the survey, the location of the re-interment would be moved.

2. Description of the Alternatives

2.1 Alternative 1 – No Action Alternative

Under this alternative no actions would be taken to re-inter remains subject to NAGPRA on BLM lands.

2.2 Alternative 2 - Proposed Action Alternative

The proposed action alternative is to inter NAGPRA remains in a stable location near the location of recovery.

The location to be selected for re-interring the remains would be near the location of recovery and would be accessible to Tribal members. Using clean fill material from a nearby source, wheel barrows and hand tools would be used to transport the fill to the location of the project. If fill material is not available in walking distance, it may be first transported using a nearby road or trail and then transported by wheelbarrow to the site. A layer of sediments would then be placed on the ground surface. The NAGPRA remains would be placed upon the prepared surface and covered with another layer of fill. The fill would be tamped and reseeded with native vegetation. A variety of native vegetation species would be planted to ensure sediment stability, reduce erosion, and reduce spread of noxious weeds.

The duration of work to prepare the site and complete the interment is expected to be 2 days, but even if unexpected scheduling or implementation issues are encountered, the total duration of the work will not exceed 3 days. During this timeframe one piece of equipment, such as a light utility pickup, would deliver fill on an existing road or trail near the project area. All work will be performed by hand and will be monitored by a BLM archeologist.

2.3 Project Design Features

Project design features are management actions designed to reduce or avoid potential impacts associated with Alternative 2.

Cultural Resources

- Cultural resource inventory would be conducted in the proposed area for re-interment.
- If potentially significant cultural resources are discovered as a result of the inventory, the location of the re-interment will be relocated to avoid impacts to the site.
- The project will be monitored by a professional archaeologist.
- If cultural resources are encountered during project implementation, the project activity will be halted, the authorized BLM official will be contacted, and the resource will be protected until a BLM archaeologist has assessed the historic significance of the resource.

Special Status Species

- Inventory for special status species would be conducted prior to re-interment.
- If Special Status Species are discovered, appropriate protection measures will be taken including modifying the time of the re-interment, buffering areas to preclude re-interment, or relocating re-interment away from the area of concern.

3. Affected Environment and Environmental Effects

3.1 Area of Critical Environmental Concern, ACEC

3.1.1 Affected Environment

The Iceberg Point Colville/ Watmough Bay properties have been designated as ACECs. With the ACEC designation, management emphasizes preservation of the natural values of the properties. These values are discussed in the vegetation, wildlife, and visual resources sections. Opportunities for visitor use are provided to the extent they are compatible with the preservation

of the natural values. If a choice must be made between preservation of the natural values and allowing visitor use, preservation of the natural values is the primary consideration.

Recent designation of the San Juan Islands National Monument, specifically for cultural and biological resources, further highlights the importance of the values described above.

3.1.2 Direct and Indirect Effects from No Action Alternative

The No Action Alternative is expected to have no impact to the ACEC.

3.1.3 Direct and Indirect Effects from Proposed Action Alternative

The design features of the proposed action include placement of fill and plantings, which are consistent with the ACEC designation of this site. Re-interred NAGPRA materials will not be visible because they will be located below grade. Therefore, the Proposed Action Alternative is expected to have no impact to the ACEC.

3.2 Cultural Resources, Native American Values, and Paleontological Resources

3.2.1 Affected Environment

The project area is within the traditional use area of the Central Coast Salish, which includes tribes associated with the Northern Strait language group. Regional histories indicate tribes shared a similar subsistence pattern characterized by a reliance on fish, game, edible plants, and roots. Village locations would have provided access for resource gathering including fishing and hunting. Salmon, halibut and sturgeon were among the fish predominantly harvested in the region. A variety of sea mammals, waterfowl, and various land mammals were hunted, and roots, berries, bulbs and shell fish were gathered throughout the Central Coast Salish territory. Many traditional fishing stations and hunting and gathering areas continue to be utilized by Native Americans in the region.

Prior to acquisition of the federal parcel at Watmough Bay, a parking area and road was constructed to provide access to the beach and an early twentieth century dwelling located between the beach and wetlands at the Bay. The dwelling was burned and removed from the property prior to acquisition by BLM. The parking area and road were modified and dozed and a metal gate was installed to control vehicle access to the beach by subsequent land owners.

Years of recreational activities, construction of a parking area, access road, and an early twentieth century domestic habitation prior to BLM acquisition of the property altered much of the project area. Additionally, intensive storm action continues to erode portions of the archaeological site.

Archival records, Washington Department of Archaeological and Historic Preservation (DAHP) and BLM site databases, and cultural resource inventories of the project area were reviewed. Archaeological site 45SJ280, a property eligible for the National Register of Historic Places, is located within the area of potential effect (APE) for the project.

Geological and archival records were reviewed for the project area. Scientifically important paleontological resources are not known to occur in the project area.

3.2.2 Direct and Indirect Effects from No Action Alternative

The remains subject to NAGPRA would not be re-interred on BLM administered land. Failure to accommodate the request from the Native American tribes would be contrary to the objectives identified for the designation of the San Juan National Monument to protect cultural resource values and would have long term negative impacts to relationships between the Tribes and the BLM.

3.2.3 Direct and Indirect Effects from Proposed Action Alternative

The design features of the Proposed Action, including placement of fill and plantings, are not expected to cause adverse impacts to important cultural resource values. Additional design features including project monitoring are expected to avoid negative effects from the proposed action. Therefore, the Proposed Action Alternative is expected to have no adverse effects to the sensitive cultural resources in the area of potential effect.

3.2.4 Cumulative Effects

In consideration of past, present, and future actions no cumulative impacts were identified. Although recreational activity is expected to increase within the ACECs and the potential for future impacts from winter storms is expected to continue, measures to control erosion and stabilize the beach is expected slow loss of important cultural resources. In addition, due to the designation of the BLM properties as ACECs, no large scale development, road construction and/ or other actions which would deter from the natural character of the area are planned.

Beach stabilization is planned for Watmough Bay by spring of 2014. The project would reduce impacts to cultural resources including loss or displacement of important cultural resources from erosion. The project would reduce the potential need for re-interments of NAGPRA remains in the future. The project would have short term impacts to vegetation, wildlife, and recreation but would have long term benefits to cultural resources affected by beach erosion.

Past management actions including stabilization of the southern beach and cut bank margins in 2004 and trail construction reduced impacts to sensitive resources from both natural and recreational uses in the Watmough Bay area. The proposed alternative is expected to avoid sensitive cultural resources and protect NAGPRA materials removed from those properties. Because the direct and indirect effects of the proposed project would not have a long-term negative effect on cultural resources, no effects to the important cultural resource values are expected as cumulative effects of this action.

4. Consultation and Coordination

Consultation regarding the project was initiated in June 2011 and again in March 2012 with the Department of Archaeology and Historic Preservation (DAHP), the Lummi Nation, the Samish Nation, and the Swinomish Indian Tribal Community. The DAHP concurred in April 2012 with a determination of No Adverse Effect to historic properties.

5. List of Preparers

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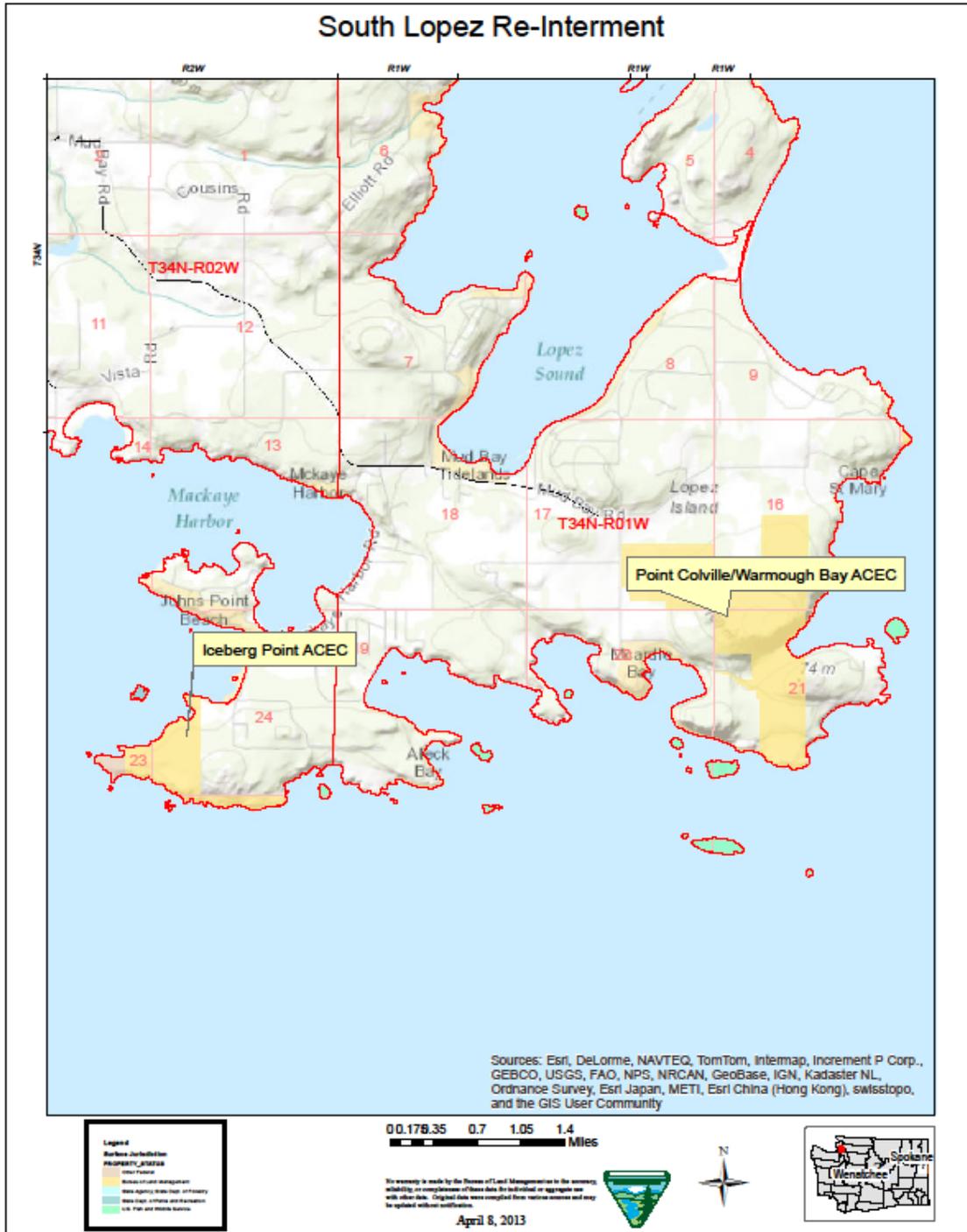
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Appendices

Appendix A: Project Area Map



Appendix B: Sensitive Plants and Effects Determination

San Juan Islands potential rare plants, compiled from <http://www1.dnr.wa.gov/nhp/refdesk/lists/plantsxco/san.html>

Scientific Name	Common Name	State Status	Federal Status	Habitat	Potential for effect/Rationale	Source
<i>Carex pauciflora</i>	few-flowered sedge	S		Wet acidic environments at low to middle elevations, including sphagnum bogs and acidic peat; usually on open mats, but also in partial shade, 75 to 1390 meters.	No effect. No documented occurrences on Lopez Island.	Camp, Gamon
<i>Castilleja levisecta</i>	golden paintbrush	E	LT	Open grasslands in the Puget Trough low-lands, generally on glacial outwash or depositional material, 3 to 90 meters. Does not tolerate a closed canopy.	No effect. No documented occurrences on Lopez Island.	Camp, Gamon
<i>Castilleja victoriae</i>	Victoria's paintbrush	E		Coastal freshwater seeps and vernal pools on thin soil over bedrock.	No effect. No documented occurrences on Lopez Island.	Camp, Gamon
<i>Crassula connata</i>	erect pygmy-weed	T		In dry areas that may be seasonally moist, including chaparral and wet to moist vernal pools on coastal bluffs, 4 to 30 meters. Found coastally on seasonally wet cliffs, rock outcrops, and steep slopes.	No effect. No documented occurrences on Lopez Island.	Camp, Gamon
<i>Eurybia merita</i>	Arctic aster	S		Open rocky places, rock crevices, alpine lithosols, and unstable talus slopes, mostly at high elevations in the mountains from 700 to 2300 meters.	No effect. No documented occurrences on Lopez Island.	Camp, Gamon
<i>Isoetes nuttallii</i>	Nuttall's quillwort	S		Terrestrial in seasonally wet ground, seepages, temporary streams, and mud near vernal pools. Typically at low to middle elevations; documented elevations in WA are 60 to 105 meters.	No effect. No documented occurrences on Lopez Island.	Camp, Gamon

<i>Lepidium oxycarpum</i>	sharpfruited peppergrass	E		Coastal, found in the salt spray zone, growing in moist cracks and vernal pools on bedrock, in sandy or dark saline soil in full sun.	No effect. No documented occurrences on Lopez Island.	Camp, Gamon
<i>Liparis loeselii</i>	twayblade	E		Springs, bogs, wetlands, and wet sunny places in Douglas fir forests.	No effect. No documented occurrences on Lopez Island.	Camp, Gamon
<i>Lobelia dortmanna</i>	water lobelia	T		Generally in shallow water at the margins of lakes and ponds, but it can grow at depths of 8-10 feet.	No effect. No documented occurrences on Lopez Island.	Camp, Gamon
<i>Meconella oregana</i>	white meconella	T	SC	Primarily in open grassland; sometimes within a mosaic of forest and grassland on gradual to almost 100% slopes. Habitats are wet to moist in spring, but dry by early summer.	No effect. No documented occurrences on Lopez Island.	Camp, Gamon
<i>Microseris bigelovii</i>	coast microseris	X		Grasslands on old dunes, glacial deposits, in small crevices, and on rock, usually with very little soil, 2 to 3 meters above the high tide line.	No effect. No documented occurrences on Lopez Island.	Camp, Gamon
<i>Ophioglossum pusillum</i>	Adder's-tongue	T		Seasonally wet areas in pastures, old fields, roadside ditches, bogs, fens, wet meadows, flood plains, moist woods, grassy swales, dry or damp sand, dry hillsides, and in seasonally wet, acidic soil.	No effect. No documented occurrences on Lopez Island.	Camp, Gamon
<i>Orthocarpus bracteosus</i>	rosy owl-clover	E		Extant sites in WA are all associated with moist meadows in the transition zone between wetland and upland; they are dominated by grasses and forbs, in full sunlight with little to no shrub or tree cover.	No effect. No documented occurrences on Lopez Island.	Camp, Gamon

<i>Oxytropis campestris</i> <i>var. gracilis</i>	slender crazyweed	S		Prairies, alpine meadows, open woodlands, and gravelly flood plains in moist or dry soils. Also found in San Juan Co., in open grasslands and on steep, dry, south-facing rock outcrops with shallow soil and some herbaceous cover, often in the salt spray zone.	No effect. No documented occurrences on Lopez Island.	Camp, Gamon
<i>Packera macounii</i>	Siskiyou Mountain ragwort	S		Open woods and dry open places (<i>Hitchcock, Senecio macounii</i>)	No effect. No documented occurrences on Lopez Island.	Hitchcock
<i>Potamogeton obtusifolius</i>	blunt-leaved pondweed	S		Submerged on banks of lakes, sloughs, and slow-flowing streams in 1 to 4 meters of water.	No effect. No documented occurrences on Lopez Island.	Camp, Gamon
<i>Ranunculus californicus</i>	California buttercup	T		Coastal bluffs, open grasslands, rocky slopes along the shore, and rocky wooded areas. Usually in dry grassland areas, but also found in moister sites.	1976 report of California buttercup at Iceberg Point and Point Colville; no recent data.	Camp, Gamon
<i>Sericocarpus rigidus</i>	white-top aster	S	SC	Relatively flat, open grasslands of lowlands, usually in gravelly, glacial outwash soils. Elevations in WA 10 to 170 meters. Habitats are seasonally mesic but dry during late summer.	2006 report of white-top aster on Iceberg Point.	Camp, Gamon
<i>Symphotrichum boreale</i>	rush aster	T		Lakesides, marshes, bogs, and fens, including calcareous bogs and fens, open peat land, and sedge-dominated open sphagnum bogs.	No effect. No documented occurrences on Lopez Island.	Camp, Gamon
<i>Utricularia minor</i>	lesser bladderwort	R1		Occurs in low nutrient lakes and peat bog pools in the lowland and montane zones at elevations from 40 to 1200 meters in WA.	No effect. No documented occurrences on Lopez Island.	2005 WNHP

2011 Field guide to the rare plants of Washington. Edited by Pamela Camp and John G. Gamon, 1st edition.

2006 Chappell <http://www1.dnr.wa.gov/nhp/refdesk/communities/index.html>

1973 Hitchcock & Cronquist Flora of the Pacific Northwest, pg 549.

State Status of plant species is determined by the Washington Natural Heritage Program. Factors considered include abundance, occurrence patterns, vulnerability, threats, existing protection, and taxonomic distinctness. Values include:

E = Endangered. In danger of becoming extinct or extirpated from Washington.

T = Threatened. Likely to become Endangered in Washington.

S = Sensitive. Vulnerable or declining and could become Endangered or Threatened in the state.

X = Possibly extinct or Extirpated from Washington.

R1 = Review group 1. Of potential concern but needs more field work to assign another rank.

R2 = Review group 2. Of potential concern but with unresolved taxonomic questions.

Federal Status under the U.S. Endangered Species Act(USES A) as published in the Federal Register:

LE = Listed Endangered. In danger of extinction.

LT = Listed Threatened. Likely to become endangered.

PE = Proposed Endangered.

PT = Proposed Threatened.

C = Candidate species. Sufficient information exists to support listing as Endangered or Threatened.

SC = Species of Concern. An unofficial status, the species appears to be in jeopardy, but insufficient information to support listing.

Appendix C: Impact Analysis for Species of Greatest Conservation Concern, Watmough Bay

Scientific Name	Common Name	Potential for significant effects/Rationale
<i>Bufo boreas</i>	Western Toad	No potential for significant effects (NPSE). Not expected to occur in project area. Most recent record of occurrence for San Juan county is 1939.
<i>Phalacrocorax penicillatus</i>	Brandt's Cormorant	NPSE. May disturb individual birds foraging. Locally common species, but typically found along the outer coast. No nesting or breeding habitat would be lost or disturbed as no nesting areas are known to occur in San Juan Co. Project activities could not reasonably be expected to contribute to changes in the overall distribution, abundance or availability of suitable habitat for this species.
<i>Ptychoramphus aleuticus</i>	Cassin's Auklet	NPSE. Typically found on outer coasts. Birds found in inland waters are non-breeding birds. Project activities could not reasonably be expected to contribute to changes in the overall distribution, abundance or availability of suitable habitat for this species.
<i>Uria aalge</i>	Common Murre	NPSE. Typically found on outer coasts. No nesting or breeding habitat would be lost or disturbed. Project activities could not reasonably be expected to contribute to changes in the overall distribution, abundance or availability of suitable habitat for this species.

<i>Brachyramphus marmoratus</i>	Marbled Murrelet	NPSE. Marbled Murrelets may be found in the marine waters surrounding Lopez Island, but they are not known to nest or roost on the island itself. The proposed activities within Watmough Bay would not be expected to significantly alter the behavior of foraging birds. Additionally, this project would not result in the loss of suitable habitat or the destruction or adverse modification of designated critical habitat. Project activities could not reasonably be expected to contribute to changes in the overall distribution, abundance or availability of suitable habitat for this species. Thus overall the effects determination for this species is no effect.
<i>Phoebastria albatrus</i>	Short-tailed Albatross	No effect. Extremely rare transient not known to breed in Washington State (WA).
<i>Fratercula cirrhata</i>	Tufted Puffin	NPSE. The only Tufted Puffin breeding colony in San Juan County occurs on Colville island, 1/2 mile south of Lopez Island. No nesting or breeding habitat would be lost or disturbed. Construction activities may disturb individuals. Project activities could not reasonably be expected to contribute to changes in the overall distribution, abundance or availability of suitable habitat for this species.
<i>Aechmophorus occidentalis</i>	Western grebe	NPSE. May disturb individuals foraging in the area. Locally common in the winter. Typically moves inland to freshwater lakes, ponds and reservoirs in eastern WA to breed.
<i>Haliaeetus leucocephalus</i>	Bald Eagle	NPSE. May disturb individuals. There is a bald eagle nest located a little over one mile northeast of the action area, but this activity will occur outside the breeding period.
<i>Aquila chrysaetos</i>	Golden Eagle	NPSE. May disturb individuals if present. Nearest documented nest is on San Juan Island.
<i>Falco peregrinus</i>	Peregrine Falcon	NPSE. Although peregrine falcons nest on the cliff above Watmough Bay, a design feature of the Proposed Action is that the construction of the project features would occur in October, which is after the nesting season for peregrine falcons. No suitable nesting habitat will be removed or altered during implementation.
<i>Coccyzus americanus</i>	Yellow-billed Cuckoo	No effect. Extirpated as a breeder in WA. Not expected to occur in project area.

<i>Chaetura vauxi</i>	Vaux's Swift	NPSE. Vaux's swift are associated with old-growth forests where they nest and roost in hollow chambers created by pileated woodpeckers. Because no trees or snags will be removed during construction, and it occurs outside the nesting period, this project is not expected to result in a single nest failure. Potential to disturb individuals, if present. However, this species often nests in residential chimneys and can tolerate moderate levels of disturbance. Project activities could not reasonably be expected to contribute to changes in the overall distribution, abundance or availability of suitable habitat for this species.
<i>Dryocopus pileatus</i>	Pileated Woodpecker	NPSE. Large snags and large decaying live trees in older forests are used by pileated woodpeckers for nesting and roosting throughout their range. Potential to disturb individuals, if present. However, this species often inhabits residential areas and can tolerate moderate levels of disturbance. No suitable nesting or roosting habitat would be removed.
<i>Pooecetes gramineus affinis</i>	Oregon Vesper Sparrow	NPSE. Subspecies is found in remnant prairie habitat which is not present in the project area.
<i>Progne subis</i>	Purple Martin	NPSE. This species often inhabits residential areas and can tolerate moderate levels of disturbance. Nests and roosts in cavities of large snags and large decaying live trees created by pileated woodpeckers or flickers. No suitable nesting or roosting habitat would be removed. Project activities could not reasonably be expected to contribute to changes in the overall distribution, abundance or availability of suitable habitat for this species.
<i>Contopus cooperi</i>	Olive-sided flycatcher	NPSE. Species is common in most forested areas of WA. No suitable nesting or roosting habitat would be removed. Potential to disturb individuals, if present. Project activities could not reasonably be expected to contribute to changes in the overall distribution, abundance or availability of suitable habitat for this species.
<i>Histrionicus histrionicus</i>	Harlequin Duck	NPSE. May disturb individuals if present. No nesting habitat is present in the analysis area. Generally a winter resident that moves inland to swift torrents and rapid streams to breed (May-June initiation).
<i>Accipiter gentilis</i>	Northern Goshawk	No effect. Outside range of known breeding areas.

<i>Haliotis kamtschatkana</i>	Pinto (Northern) Abalone	No effect. Predominantly found in kelp beds along outer, well-exposed coasts; typically low intertidal to 30 feet depth, but ranges to 100 m depth.
<i>Ostrea conchaphila</i> -	Olympia Oyster	No effect. Marine Mollusk found in intertidal to 10m.
<i>Oeneis nevadensis gigas</i>	Great Arctic	NPSE. Limited information on subspecies distribution. Often found on bare mountain summits such as Mt. Constitution on Orcas Island. Not expected to occur in the project area, thus Project activities could not reasonably be expected to contribute to changes in the overall distribution, abundance or availability of suitable habitat for this species.
<i>Euchloe ausonides insulanus</i>	Island Marble	No effect. This subspecies is typically found in meadow or prairie habitat. Based on extensive surveys in 2005, this subspecies appears to be limited to San Juan and Lopez Islands in WA. The population which occurs on Lopez Island is not within the project area and the subspecies is not expected due to the lack of suitable habitat.
<i>Copablepharon fuscum</i>	Sand-verbena Moth	NPSE. Neither the moth or its host plant (<i>Abronia latifolia</i>) have been documented in the project area. The host plant is typically found among dry grasses in rocky outcrops so it is unlikely to occur in the project area.
<i>Speyeria zerene bremnerii</i>	Valley Silverspot	No effect. This species is not known or expected to occur in the project area. The only known host plant is the western blue violet, <i>Viola adunca</i> which has not been documented on Lopez Island.
<i>Euphydryas editha taylori</i>	Taylor's Checkerspot (formerly Whulge Checkerspot)	No Effect. Not expected to occur in the project area. Taylor's checkerspot butterfly potentially occurs in the following Washington counties: Clallam, Thurston, and Pierce.
<i>Corynorhinus townsendii</i>	Townsend's Big-eared Bat	NPSE. This species uses caves, mines, hollow trees, and built structures for roosting. No suitable habitat for roosting, such as trees will be removed for this project. Project activities could not reasonably be expected to contribute to changes in the overall distribution, abundance or availability of suitable habitat for this species.

<i>Myotis keenii</i>	Keen's Long-eared Bat (formerly Keen's Myotis)	No Effect. Unlikely to occur in project area. This species has one of the smallest distributional ranges of any North American bat and is only documented at a few sites in western Washington (Jefferson and Clallam County).
<i>Myotis evotis</i>	Long-eared bat	No effect. Not known or believed to occur in San Juan County.
<i>Myotis volans</i>	Long-legged Myotis	NPSE. No suitable habitat for roosting, such as trees will be removed for this project. Project activities could not reasonably be expected to contribute to changes in the overall distribution, abundance or availability of suitable habitat for this species.
<i>Microtus townsendii pugetii</i>	Shaw Island Vole	NPSE. Subspecies is typically found along forest edges and prairie/meadow habitats. While the species is present on the island, suitable habitat does not occur in the analysis area. Project activities could not reasonably be expected to contribute to changes in the overall distribution, abundance or availability of suitable habitat for this species.
<i>Enhydra lutris</i>	Northern Sea Otter	No effect. The species is quite rare in the archipelago with only a few incidental sightings of individuals documented. Since reintroductions began for this species in 1969, their core range has remained primarily on the Olympic Peninsula, west of Port Angeles and south to Destruction Island (WDFW 2004).
<i>Eschrichtius robustus</i>	Gray Whale	No effect. No gray whales have been documented within Watmough Bay. Construction activities will be completed on land.
<i>Orcinus orca</i>	Orca (Killer Whale)	No effect. Construction activities will be completed on land. .
<i>Phocoena phocoena</i>	Pacific Harbor Porpoise	No effect. Construction activities will be completed on land.
<i>Eumetopias jubatus</i>	Steller (Northern) Sea Lion	No effect. Construction activities will be completed on land.
<i>Contia tenuis</i>	Sharptail Snake	No effect. The only documented occurrence in the County is from Orcas Island. Species is not known to occur on Lopez Island. Surveys were conducted for this species within suitable habitat on Lopez Island in 2010.