

**ENVIRONMENTAL ASSESSMENT**  
**REPLACEMENT OF 23 ACRES OF THE HONIG PARCEL**  
**AT LITTLE CREEK WILDLIFE AREA WITH**  
**30 ACRES OF THE VINES PARCEL AT EAGLES NEST WILDLIFE AREA**

**PUBLISHED ON JUNE 30, 2023**

**Lead State Agency:** Delaware Department of Natural Resources and Environmental Control, Division of Fish and Wildlife (DNREC-DFW)

**Cooperating Federal Agency:** US Fish and Wildlife Service

**Proposed Action:** To resolve interference with the purpose of 23 acres of the Honig parcel acquired with federal funds in 1962 as part of Little Creek Wildlife Area in Kent County, Delaware by replacing these acres with 30 acres of the Vines parcel acquired with state funds in 2021 as part of Eagles Nest Wildlife Area in New Castle County; to remove the federal nexus on the 23 acres being replaced; and to record a federal nexus on 30 acres of the Vines parcel.

**Location:** Little Creek Wildlife Area near Dover in Kent County and Eagles Nest Wildlife Area near Smyrna in New Castle County in Delaware (Fig. 1 – 3)

**Summary:** This Environmental Assessment considers the impacts to the human environment of the proposed action and the no action alternative. Purchased by DNREC-DFW with federal grant funds from Jonah H. Honig in 1962, the “Honig parcel” was originally acquired as part of the Little Creek Wildlife Area to benefit waterfowl and upland game and to provide for public hunting. When purchased in 1962, a portion of the Honig parcel was occupied by farm buildings and a residential farmhouse. Over time, the existing buildings were replaced with contemporary structures, which currently include a DNREC-DFW Fisheries Office and Laboratory, Enforcement Equipment Storage and Maintenance Shop, Kent County Hunter Education Training Center, and Wildlife Area Construction Office along with multiple storage sheds and pole buildings and associated access roads and parking areas. The primary impact of this development is that this area is not suitable as habitat for wildlife and there are no hunting opportunities for the public around the existing occupied structures, access roads and parking areas. Consequently, this portion of the Honig parcel no longer meets the purposes of the federal grant agreement under which the property was acquired. As such, DNREC-DFW is proposing to replace this 23-acre portion of the Honig parcel with a 30-acre portion of the Vines parcel at Eagles Nest Wildlife Area. Upon resolution of the land replacement, DNREC-DFW proposes removal of the federal nexus on the 23-acre portion of the Honig parcel to accommodate existing and proposed facility development supporting DNREC-DFW administration, operations and programs. Future development proposed for this area includes additional buildings for office space, equipment storage, and other program support structures as well as additional parking and access roads connecting existing and proposed development. This Environmental Assessment concludes that the preferred alternative – replacing 23 acres of the Honig parcel at Little Creek Wildlife Area with 30 acres of the Vines parcel at the Eagles Nest Wildlife Area and removal of the federal nexus from 23 acres of the Honig parcel – would not result in any adverse environmental impacts, would resolve interference with the purpose stated in the 1962 federal grant agreement, would provide a greater number of acres, greater total current market value, greater overall benefits for wildlife and wildlife habitat, and greater opportunities for hunting within the local community area.

# TABLE OF CONTENTS

<b>1.0</b>	<b>INTRODUCTION.....</b>	<b>3</b>
1.1	SCOPE OF DOCUMENT.....	4
1.2	LOCATION.....	4
1.3	BACKGROUND.....	4
<b>2.0</b>	<b>PURPOSE AND NEED.....</b>	<b>5</b>
<b>3.0</b>	<b>COMPLIANCE WITH APPLICABLE STATUTES, REGULATIONS, AND GUIDELINES.....</b>	<b>5</b>
<b>4.0</b>	<b>ALTERNATIVES.....</b>	<b>6</b>
4.1	DEVELOPMENT OF ALTERNATIVES.....	6
4.2	ALTERNATIVES CONSIDERED FURTHER.....	8
<b>5.0</b>	<b>DESCRIPTION OF THE EXISTING ENVIRONMENT.....</b>	<b>8</b>
5.1	GENERAL LAND USE AND ADMINISTRATION.....	8
5.2	FISH AND WILDLIFE.....	9
5.3	HABITAT.....	9
5.4	THREATENED AND ENDANGERED SPECIES.....	9
5.5	WETLANDS, STREAMS, AND WATER QUALITY.....	10
5.6	NOISE.....	10
5.7	CULTURAL AND HISTORICAL RESOURCES.....	10
5.8	PUBLIC USE, ACCESS AND RECREATION.....	10
5.9	SOCIOECONOMIC ENVIRONMENT AND ENVIRONMENTAL JUSTICE.....	11
<b>6.0</b>	<b>ENVIRONMENTAL CONSEQUENCES.....</b>	<b>12</b>
6.1	GENERAL LAND USE AND ADMINISTRATION.....	12
6.2	FISH AND WILDLIFE.....	12
6.3	HABITAT.....	12
6.4	THREATENED AND ENDANGERED SPECIES.....	13
6.5	WETLANDS, STREAMS, AND WATER QUALITY.....	13
6.6	NOISE.....	13
6.7	CULTURAL AND HISTORICAL RESOURCES.....	13
6.8	PUBLIC USE, ACCESS AND RECREATION.....	14
6.9	SOCIOECONOMIC ENVIRONMENT AND ENVIRONMENTAL JUSTICE.....	14
<b>7.0</b>	<b>COMPARISON OF ENVIRONMENTAL CONSEQUENCES.....</b>	<b>14</b>
<b>8.0</b>	<b>CUMULATIVE IMPACT.....</b>	<b>15</b>
<b>9.0</b>	<b>CONSULTATION, COORDINATION AND PUBLIC INVOLVEMENT.....</b>	<b>16</b>
<b>10.0</b>	<b>LIST OF PREPARERS.....</b>	<b>16</b>
<b>11.0</b>	<b>REFERENCES.....</b>	<b>16</b>
<b>12.0</b>	<b>APPENDICES.....</b>	<b>17</b>
	APPENDIX A. MAPS.....	17
	APPENDIX B. HABITAT AND RECREATION BENEFITS MATRIX.....	20

## 1.0 INTRODUCTION

The Delaware Department of Natural Resources and Environmental Control, Division of Fish and Wildlife (DNREC-DFW) prepared this Environmental Assessment (EA) to evaluate the potential impacts to the human and natural environment associated with resolving interference with the stated purpose for a 23-acre portion of the Honig parcel at the Little Creek Wildlife Area in Kent County, Delaware. This area is currently not being used for the purposes for which it was acquired in 1962 as stated in the federal grant agreement that funded acquisition of this parcel. The objective of the grant was to benefit waterfowl and upland game and provide public access for hunting. Today, this portion of the Honig parcel is occupied by structures that serve a critical role in supporting day-to-day operations of DNREC-DFW statewide. These structures are all operated and maintained by DNREC-DFW and DNREC-DFW Fisheries Office and Laboratory, Enforcement Equipment Storage and Maintenance Shop, Kent County Hunter Education Training Center, and Wildlife Area Construction Office along with multiple storage sheds and pole buildings. Utilities (e.g., electric, internet, well, septic, storm water), roadways and parking areas support facility access and use. DNREC-DFW is also proposing to construct additional structures to serve as additional office space and equipment storage for DNREC-DFW staff to perform critical operations support functions and program activities.

As a result of the existing development, the area is not benefitting waterfowl and upland game, nor are there opportunities for the public to hunt in and immediately around the existing structures, access roads and parking areas. Therefore, DNREC-DFW's proposed action is to replace these 23 acres and remove the federal nexus from this portion of the Honig parcel at Little Creek Wildlife Area. DNREC-DFW proposes as the replacement land a 30-acre portion of the Vines parcel at Eagles Nest Wildlife Area near Smyrna in New Castle County, Delaware. The proposed replacement land was purchased with state funds and has greater acreage, greater total current market value and greater benefit to wildlife, and provides comparable public access and use for upland game and waterfowl hunting within the local community area. The Honig and Vines parcels referenced herein are shown in Appendix A in Figures 1 and 2. Removing the federal nexus from the 23-acre portion of the Honig parcel would allow DNREC-DFW to maximize beneficial use of the area for DNREC-DFW operations and management, compared to creating new environmental impacts and higher financial costs by constructing facilities on undeveloped land elsewhere.

The proposed action affects lands purchased with funds from the Wildlife Restoration Program administered by the U.S. Fish and Wildlife Service (Service), Wildlife and Sport Fish Restoration (WSFR) Program. Due to the federal funds used to purchase the land in question, this proposed action must comply with the National Environmental Policy Act (NEPA; 42 United States Code [USC] § 4321-4347), Section 7 of the Endangered Species Act (ESA), and Section 106 of the National Historic Preservation Act (Section 106). NEPA requires that federal agencies integrate an interdisciplinary environmental review process to evaluate a range of alternatives including the no action alternative and provide an opportunity for public input as part of its decision-making process. Because the Service is the lead federal agency for approving the proposed action, DNREC-DFW is developing this EA in cooperation with Service WSFR staff.

This EA will be used to determine whether the Service can provide a Finding of No Significant Impact (FONSI) or if an Environmental Impact Statement (EIS) will be required. If the EA demonstrates that there are no significant impacts to the human and/or natural environment, a FONSI will be prepared. If the analysis in the EA indicates that the proposed action is a major federal action that significantly affects the quality of the human and/or natural environment, a Notice of Intent to prepare a draft EIS will be published in the Federal Register.

## 1.1 Scope of Document

The format of this EA follows the guidelines set forth in the Service's NEPA Reference Handbook (USFWS 2003). The sections of the document are described as follows:

- **Purpose and Need** provides the reason and justification for the action;
- **Alternatives** provides a description of the no-action alternative, the proposed action, and other alternatives that were under consideration;
- **Description of the Existing Environment** outlines existing environmental conditions;
- **Environmental Consequences** reviews the potential effects for each of the alternatives fully considered;
- **Comparison of Environmental Impact** provides a table that summarizes the environmental impacts of all the alternatives;
- **Cumulative Impact** examines past, current, and future related actions for potential positive/negative environmental impacts; and
- **Consultation, Public Involvement, and Coordination** describes the collaboration among technical experts and regulatory agencies, and agency engagement with the public to address concerns and obtain feedback to help shape the proposed action.

## 1.2 Location

The Honig parcel is part of Little Creek Wildlife Area near the City of Dover in Kent County, Delaware. The Honig parcel is, in total, 39.8 acres. However, only a 23-acre portion of the Honig parcel is where interference with the stated purpose is occurring; this 23-acre portion of the Honig parcel is herein referred to as the "Honig parcel". The Vines parcel is part of Eagles Nest Wildlife Area near the Town of Smyrna in New Castle County, Delaware. The Vines parcel is, in total, 118.43 acres. However, only a 30-acre portion of the Vines parcel is proposed as replacement lands; this 30-acre portion of the Vines parcel is herein referred to as the "Vines parcel". These two parcels are approximately 17 miles apart as shown in Appendix A in Figure 3.

## 1.3 Background

DNREC-DFW is proposing to replace approximately 23 acres of the Honig parcel (Figure 1). The Honig parcel is part of, and contiguous to, the almost 5,000-acre Little Creek Wildlife Area. The Honig parcel was acquired with WSFR funds in 1962<sup>1</sup> and was added to the Little Creek Wildlife Area. The purchase of the Honig parcel occurred under Federal Aid Project number W-18-L-7 with a performance period of July 1, 1962 to June 30, 1963. The stated project objective in the grant agreement is as follows: "To benefit waterfowl and upland game species including cottontail rabbit, bobwhite quail, ring-necked pheasant and mourning dove. To preserve marshes for wildlife use in a portion of the State experiencing industrial expansion, and to provide additional public hunting areas."

At the time of acquisition, the Honig parcel included a residential house and farm buildings. The residential house is still present and is occupied and maintained as a residence for DNREC-DFW staff. The farm buildings were replaced with structures suited for supporting construction work at DNREC-DFW wildlife and fishing access areas statewide, including office space for the construction crew, maintenance shops, and storage for heavy equipment and construction supplies and materials. Adjacent structures serve as DNREC-DFW Enforcement's

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<sup>1</sup> Deed signed and dated June 16, 1962 and recorded in the Kent County Recorder of Deeds on July 13, 1962. Deed Reference: Y-22-315.

maintenance shop and storage for equipment and boats. In 1999, DNREC-DFW constructed a Fisheries Field Office and Laboratory Building to provide office and laboratory space for fisheries scientists and managers working on research and management projects statewide. In 2013, DNREC-DFW constructed a Hunter Education Training Center to provide an indoor classroom and outdoor firearm safety training area centrally located and accessible to hunters statewide.

In 2013, DNREC-DFW identified the need to construct an additional office building and equipment storage for DNREC-DFW Wildlife and Fisheries staff to replace small aging field offices that are inadequate for accommodating present day staff and equipment and are located in remote field locations. DNREC-DFW notified the Service about its proposal to construct a new office building on the Honig parcel near the existing structures as shown in Appendix A on Figure 1. A subsequent review of the proposed site by DNREC-DFW and the Service determined that existing uses on a portion of the Honig parcel interfere with the authorized purpose and original intent of the federal grant use to acquire the property, resulting in the requirement to find suitable replacement land. If the proposed land replacement is approved, DNREC-DFW is requesting to remove the federal nexus and would proceed with design and construction of a new Wildlife and Fisheries Field Office within the 23 acres of the Honig parcel. This additional development would consolidate staff from multiple remote field locations, reduce facility maintenance costs, facilitate collaboration among staff, and increase efficient access and use of program resources.

To date, DNREC-DFW has taken the following steps to address the issue: (1) consulted with the Service; (2) conducted an extensive property search for suitable replacement lands adjacent to or in close proximity to the Little Creek Wildlife Area; (3) identified and purchased with state funds 30 acres of the Vines parcel at Eagles Nest Wildlife Area to serve as the proposed suitable and equitable replacement property; and (4) prepared a preliminary land replacement proposal for the Service to review.

## **2.0 PURPOSE AND NEED**

The purpose of this EA is to resolve non-compliance with the 1962 grant agreement between DNREC-DFW and the Service for the acquisition of the Honig parcel. DNREC-DFW acquired the Honig parcel with federal funds administered by the Service for the purpose of benefiting waterfowl and upland game as well as to provide additional public hunting areas. During a 2013 review of a proposal to construct a DNREC-DFW field office, it was discovered by DNREC-DFW and the Service that current uses on a portion of the Honig parcel are for purposes other than those stated in the 1962 grant agreement. Per the original grant agreement, in the event that uses of the property interfered with the purpose of the grant, either interference must be halted and the original purpose restored, or the parcel must be replaced with property of equal value at current market prices and equal benefits. Because the original purpose on the 23-acre portion of the Honig parcel cannot be fully restored without significant cost, operational disruption and environmental impact, DNREC-DFW proposes to replace the property with 30-acres of the Vines parcel at the Eagles Nest Wildlife Area and to remove the federal nexus from the 23-acre portion of the Honig property to allow existing and proposed development to support DNREC staff, operations and programs. This EA considers alternatives and evaluates the potential impacts of the proposed action to resolve this issue.

## **3.0 COMPLIANCE WITH APPLICABLE STATUTES, REGULATIONS, AND GUIDELINES**

**Endangered Species Act of 1973:** Protects ecosystems upon which threatened and endangered species of fish, wildlife, and plants depend and requires federal agencies to ensure that any action they authorize, fund, or

implement is not likely to jeopardize listed species or critical habitat. Protected species include threatened and endangered species listed by federal or state authorities.

**Migratory Bird Treaty Act of 1918:** Protects all migratory birds and their parts (including eggs, nests, and feathers) and requires that the impacts on such birds by any federal action to be explored fully in the decision-making process.

**National Historic Preservation Act of 1966, amended 1992:** Preserves and protects historic and archaeological sites and requires that agencies consult with the Advisory Council on Historic Preservation, the National Register of Historic Places, and/or a State Historic Preservation Officer (SHPO) prior to undertaking any action that may affect a property with historic, architectural, archeological, or cultural value.

**Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations:** Directs all federal agency programs to identify and address disproportionately high and adverse effects on human health and the environment of minority or low-income populations.

**State of Delaware Codes, Rules and Regulations,** Title 7 Conservation including Chapter I Protected Wildlife, Chapter 7 Regulations and Prohibitions Concerning Game and Fish, Chapter 45 Public Lands.

## 4.0 ALTERNATIVES

### 4.1 Development of Alternatives

DNREC-DFW has considered a range of alternatives and their ability to meet the Purpose and Need described in this EA. Natural resources, historic/cultural resources, and local communities were considered in the identification of alternatives to resolve the issue of interference with purpose of property acquired with federal grant funds.

#### Alternatives considered but not analyzed in detail:

- **Alternative 1:**

Repay the Service in cash the proportionate federal share of funds invested in the original purchase price of the Honig parcel (\$6,500), or to repay the Service, in cash, the proportionate federal share of the current fair market value of the property (\$195,000 as vacant), or any portion thereof, whichever is higher.

This alternative would not fulfill the purpose and objectives as stated in the original grant agreement and thus would not satisfy compliance. Therefore, this alternative is not a feasible option for addressing interference.

- **Alternative 2:**

Remove all structures from the Honig parcel, restore wildlife habitat and provide public access for hunting to restore compliance with the purpose and objectives stated in the original grant agreement.

This alternative is not feasible from an environmental, financial or operational standpoint. The developed land uses and structures on the Honig parcel serve a critical purpose for DNREC-DFW operations. These include a DNREC-DFW Fisheries Field Office and Laboratory Building including boat, equipment and gear storage and maintenance areas; a Construction Headquarters including

construction crew field office, shop, construction equipment storage and stone material and other construction supply storage; Enforcement maintenance shop and boat, equipment, field gear and secure evidence storage; and the Kent County Hunter Education Training Center including a live-fire range used only during Hunter Education training courses. These facilities are centrally located in the State of Delaware and support a broad range of operational functions for staff conducting fisheries research and management statewide, construction on state wildlife and fishing and boating access areas statewide, and enforcement activities throughout Kent County. In addition, the Hunter Education Training Center provides convenient, centrally located access to hunters statewide who are in need of safety education courses. All facilities are fully functional and operational and, although some improvements are needed to address normal wear-and-tear, none warrant complete demolition and removal of all structures and associated parking, access roads, and septic, storm water, wells and other utilities. Not only are the existing facilities critical to DNREC-DFW operations, DNREC-DFW is seeking to consolidate and relocate staff from other aging inadequate field offices to the Honig parcel by constructing additional structures within the developed portion of the parcel. If all structures and associated infrastructure were removed from the Honig parcel and replaced with 23 acres of habitat restoration, another parcel would have to be purchased in one or more locations in Kent County in order to reconstruct all of the facilities currently located on the Honig parcel. It is unlikely that a parcel with sufficient existing infrastructure exists to support 40-60 staff, a laboratory, classroom, live-fire range, storage for multiple boats, vehicles, field gear, construction equipment, and investigation evidence. It would be cost-prohibitive and environmentally detrimental to acquire vacant land and construct all new buildings and associated roads, parking and utilities to replace capital improvements and infrastructure that would have to be demolished on the Honig parcel to restore habitat and provide hunting access on 23 acres. In addition, costs associated with demolition and the negative environmental impact of disposing of demolition material is counter to DNREC-DFW's effort to be a responsible steward of Delaware's environment by reducing waste and reusing resources. For these reasons, DNREC-DFW did not further consider this alternative.

- **Alternative 3:**

Transfer 23 acres of the Honig parcel to the Service or to a third-party designated or approved by the Service.

This alternative is not feasible because existing facilities located on the Honig parcel are integral for DNREC-DFW's day-to-day operations. Transferring the parcel will not provide any habitat benefit or public access for hunting, and would leave DNREC-DFW without space for 40-60 staff, laboratory, classroom, live-fire range, storage for multiple boats, vehicles, field gear, and construction equipment. For this reason, DNREC-DFW did not further consider this alternative.

- **Alternative 4:**

Replace 23 acres of the Honig parcel with 30 acres of the Vines parcel and maintain the federal nexus on both parcels.

This alternative will not allow DNREC-DFW to expand development for ineligible activities under the WSFR grant program. If the federal nexus is not removed from the 23 acres of the Honig parcel, DNREC-DFW cannot maintain existing Enforcement equipment storage and maintenance shop facilities on the property. DNREC-DFW did not further consider this alternative due to lack of other properties where

existing law enforcement storage and maintenance facilities could be immediately relocated, significant costs associated with purchase of additional lands to relocate these facilities, and significant costs associated with construction of new facilities elsewhere.

## **4.2 Alternatives Considered Further**

- **No action alternative:**

The no action alternative is that DNREC-DFW does not resolve interference with the property's purpose on a 23-acre portion of the Honig parcel.

This alternative would result in DNREC-DFW failing to address the Service's determination, leaving DNREC-DFW remaining in breach of the terms and conditions in the 1962 grant agreement, and could result in DNREC-DFW's ineligibility for WSFR grant funds. Therefore, the no action alternative is not a feasible alternative, but is used as the baseline against which other alternatives are compared.

- **Preferred alternative:**

The preferred alternative is the proposed action to acquire title to another parcel of real property of equal or greater acreage, equal or greater current fair market value, and comparable in public access and use for upland game and waterfowl hunting within the local community that serves the same approved purpose as the original property and to manage the newly acquired real property for the same purposes specified in the original grant agreement.

On July 30, 2021, DNREC-DFW acquired the title to the Vines property, and incorporated this parcel into the 1,500-acre Eagles Nest Wildlife Area located in Smyrna, New Castle County, Delaware. We propose to use 30 acres of the 118.43-acre Vines property to serve as land replacement. The Vines property is not far from the City of Dover, would provide public access for hunting and trapping, has similar wildlife and habitat resources, and is of greater acreage and value when compared to the 23-acres of the Honig parcel that DNREC-DFW is seeking to replace. The Vines parcel will serve a similar benefit as originally intended for the Honig parcel. Additional details regarding the wildlife habitat and recreational benefits offered on the proposed replacement property are provided in Appendix B. The comparisons in Appendix B are considered as if the 23-acre portion of the Honig parcel was vacant; however, due to the current presence of occupied structures on the property, there is currently no hunting or trapping allowed.

## **5.0 DESCRIPTION OF THE EXISTING ENVIRONMENT**

### **5.1 General Land Use and Administration**

The area out of compliance (i.e., the area where there is interference with the original purpose of the federal grant used to acquire the land) is 23 acres located approximately 4.5 miles east of the City of Dover, DE. After a history of agricultural use, the property became public land in 1962. Today, this area is occupied by structures used for office space, equipment storage, maintenance shops, and hunter safety education and training space for the public.

The Vines parcel in its entirety is 118.43 acres located approximately 14.5 miles north of the City of Dover, DE. However, only 30 acres of the parcel is proposed to serve as land replacement for the Honig parcel. The Vines



parcel is a mix of agricultural lands and forested wetlands. DNREC-DFW acquired the property on July 30, 2021 from the Cecilia E. Vines, Esther E. Gordon, William A. Vines, and Richard H. Waters III. As part of the Eagles Nest Wildlife Area, it is now protected public land for the primary purposes of wildlife and habitat management and providing public access for wildlife-associated recreation, including hunting.

## **5.2 Fish and Wildlife**

At the time of acquisition, the 23-acre portion of the Honig parcel contained about 15 acres of agricultural lands, 1 acre of hedgerow, and 7 acres of farm buildings and houses. Wildlife found on the Honig parcel is typical of fields and forest edge habitats, including eastern cottontail, northern bobwhite, white-tailed deer, wild turkey, red fox, raccoon, and striped skunk. Agricultural fields were managed to provide food sources for resident wildlife throughout the growing season and migratory waterfowl during the winter.

The Vines parcel, which is proposed to serve as replacement lands, consists of 25.75 acres of uplands, 2.75 acres of hedgerows and 1.5 acres of wetlands. Wildlife found on the Vines parcel is typical of fields and forest edge habitats, including eastern cottontail, northern bobwhite, white-tailed deer, wild turkey, red fox, raccoon, and striped skunk. A portion of the agricultural fields on the Vines parcel will be kept in production to provide food sources for both resident and migratory wildlife species while other portions of the Vines parcel will be retired and restored to create early successional habitats.

## **5.3 Habitat**

Historically, the Honig parcel was in agricultural use, contained numerous agricultural-associated buildings occupying approximately 7 acres and had approximately 15 acres of open fields bordered by 1 acre of tree/shrub hedgerows. In recent years most of the agricultural lands have been retired from active production and are managed as early successional grass/forb habitats.

The Vines parcel is very similar in habitat composition to the Honig parcel but lacks any of the structures and contains approximately 1.5 acres of forested wetland. Currently, 25.75 acres are being actively farmed, but the majority of these acres will be retired and restored to create early successional grass/forb habitat. The current 2.75 acres of hedgerows will be treated for invasive species and expanded through the planting of native shrubs/trees to expand habitat for species such as eastern cottontail, northern bobwhite, and wild turkey. These habitat types also support a wide diversity of non-game species, including many listed as Species of Greatest Conservation Need in the Delaware Wildlife Action Plan.

## **5.4 Threatened and Endangered Species**

### **Federal listed species:**

The northern long-eared bat (Endangered) is present in Delaware, and although never officially detected on either the Honig or Vines parcels, suitable habitat for this species is present at both locations.

### **State listed species:**

American kestrels (State Endangered) have been documented occurring on or nearby both the Honig and Vines parcels but have not been documented breeding at either location in recent years. Eastern tiger salamanders (State Endangered) have been documented occurring within one mile of the Vines parcel and likely also occur

within the forested wetland portions of the Vines parcel, but the parcel has not been surveyed to date for this species. The little brown bat (state endangered) is known to occur and has recently been detected within 2.5 miles of the Honig parcel and likely occurs on the Honig parcel due to the presence of suitable habitats. Little brown bats were not detected on the Eagles Nest Wildlife Area near the Vines parcel during 2020 acoustic surveys, but the Vines parcel does have suitable habitat present to support this species; it is likely that this species once occurred here and may still be present.

## **5.5 Wetlands, Streams, and Water Quality**

There are no wetlands or streams on the 23-acre Honig parcel. This parcel is part of the Little Creek Wildlife Area and much of the wildlife area consists of freshwater and estuarine wetlands. In addition, Little River, Cattail Gut, and Old Marina Canal run through the wildlife area.

There are approximately 1.5 acres of freshwater forested/shrub wetlands on the Vines parcel. There are no state regulated wetlands on the Vines parcel. In addition, Sawmill Branch runs through the Vines parcel.

## **5.6 Noise**

Both areas are affected by noise from nearby sources. The Honig parcel is approximately one mile from the Dover Air Force Base, and the Vines parcel is less than one mile from heavily traveled roads US 1 and US 13.

## **5.7 Cultural and Historical Resources**

On June 24, 2014, the State of Delaware Historical and Cultural Affairs issued a letter confirming that no historic properties, eligible for or listed on the National Register of Historic Places, would be affected by proposed development on the parcel. On July 11, 2018, correspondence from the DNREC Cultural Preservation Specialist to the State Historic Preservation Office confirmed that the 2014 findings of “No Historic Properties Present Affected” remains valid and Section 106 review for the project was closed.

The Vines parcel does not have any historical structures or other known cultural and historical resources on the property.

## **5.8 Public Use, Access and Recreation**

Recreational opportunities are limited on the 23-acres of the Honig parcel given the existing occupied structures on this portion of the parcel. There is a public access road on the Honig parcel that runs east through the wildlife area, including through the 23-acre area. This road is used to access hunting and wildlife-viewing areas within the Little Creek Wildlife Area and to access structures on the Honig parcel. In addition, the public has access to the Kent County Hunter Education Training Center within the 23-acre area to participate in hunter safety training courses. Within the 23-acre portion of the Honig parcel, hunting and trapping are not permitted due to the close proximity to occupied structures and active use of the area by DNREC-DFW staff and the public on a daily basis.

Recreation opportunities on the Vines parcel are typical of those on properties owned and managed by the DNREC-DFW, and include hunting, trapping and wildlife observation. Deer hunting is likely the most common activity that occurs in this area. Public use activities follow the statutes in 7 Del. C. 3900, Section 8.0. The 30-acre

portion of the Vines parcel proposed to serve as replacement land, as well as the larger Vines parcel, was open to the public for the 2022-2023 hunting season.

## **5.9 Socioeconomic Environment and Environmental Justice**

Kent County, the county in which the Honig parcel is located, is comprised of a diverse mix of urban, suburban and rural areas, including the City of Dover, Delaware's state capital. According to the US Census Bureau, the county population is 180,786 and is 65.6% white, 27.3% Black or African American, 2.4% Asian, 7.4% Hispanic, and <1% American Indian, Native Alaskan, Native Hawaiian or Other Pacific Islander (2019). There are 74,462 housing units and the poverty rate is 12.7% (US Census Bureau, 2019).

New Castle County, the county in which the Vines parcel is located, has a diverse mix of urban, suburban and rural areas. According to the US Census Bureau, the county population is 558,753 and is 64.6% white, 26.4% Black or African American, 5.8% Asian, 10.4% Hispanic, and <1% American Indian, Native Alaskan, Native Hawaiian or Other Pacific Islander (2019). There are 225,245 housing units and the poverty rate is 10.4% (US Census Bureau, 2019).

## **6.0 ENVIRONMENTAL CONSEQUENCES**

DNREC-DFW considered the potential effects of the no action alternative and the preferred alternative in terms of impact type (i.e., beneficial, adverse or none), significance (i.e., significant or minor), timing and proximity (i.e., direct, indirect or cumulative) and duration (i.e., permanent or temporary).

Due to the nature of the issue being analyzed in this EA—resolution of the interference with the stated purpose of the parcel by replacing the land with an equivalent property—there are no adverse impacts to the physical environment or biological resources. Both properties and their resources are permanently protected as state wildlife areas. However, there are significant beneficial effects related to several of the potential impact topics. These are briefly discussed below and compared in Table 1.

### **6.1 General Land Use and Administration**

Although in different counties, the 23-acre Honig parcel and the 30-acre Vines parcel are comparable in terms of geographic location in the center of the state. The Honig parcel and the Vines parcel are both in close proximity to Dover, Delaware, within approximately 4.5 miles and 14.5 miles, respectively. In addition, both parcels are to be permanently owned and managed by DNREC-DFW. These similarities were key in proposing the Vines parcel as a suitable land replacement. There is no conversion of land use or land administration at either property under either alternative. Consequently, there are no impacts under the no action alternative. However, under the preferred alternative, the formal change in administration of the Honig parcel by removing the federal nexus represents a significant, direct, permanent impact. The 23-acre portion of the Honig parcel would continue to be administered to support DNREC programs and facilities. The 30-acre Vines parcel, serving as the replacement property, would gain a federal nexus and operations and management activities conducted on the parcel would be consistent with the Wildlife Restoration Program by the Service.

### **6.2 Fish and Wildlife**

Due to their similar geographic location and habitat types, wildlife present on the Honig parcel and Vines parcel are generally comparable. Under the no action alternative, there are minor, direct, permanent impacts from existing buildings and other structures on approximately 7 acres on the Honig parcel displacing wildlife.

Under the preferred alternative, the impacts to fish and wildlife on the Vines parcel include direct mortality from hunting and trapping harvest; however, this is an expected, legal and regulated use of resources on state wildlife areas. For some species, such as deer, this impact is beneficial at the population level (e.g., reducing overabundant deer) and/or landscape scale (e.g., reducing deer browse impacts on forest regeneration). Minor, direct and temporary impacts may potentially occur from disturbance or displacement of individuals of wildlife species during activities such as wildlife observation or secondary activities such as walking/hiking. These minor impacts will be offset, at least in part, by creating and restoring habitat on the Vines parcel exceeding the total area found within the 23-acre portion of the Honig parcel.

### **6.3 Habitat**

The wildlife habitat present on the Honig and Vines parcels is similar—fields and hedgerows—with the only significant difference being the amount of habitat on each parcel and the presence of forested wetlands on the Vines parcel. These similarities were among DNREC-DFW's considerations in proposing the Vines parcel as

suitable replacement land. Any potential future actions on either property (e.g., habitat management) are carefully screened for potential impacts to resources prior to implementation. Under the no action alternative, there are minor, direct, permanent impacts from existing buildings and other structures on approximately 7 acres on the Honig parcel displacing habitat.

Under the preferred alternative, habitat management (e.g., eradicating invasive species, restoring early successional habitat) on the Vines parcel would have a significant, beneficial, direct impact on wildlife, and may be permanent or temporary depending on the type, scale and frequency of management. The acres protected and managed as part of the Vines parcel exceed those impacted within the Honig parcel.

#### **6.4 Threatened and Endangered Species**

There are no occurrences of federally listed threatened and endangered species on either the Honig parcel or Vines parcel. Because there are no known threatened or endangered species on either the Honig or Vines properties, neither the no action or preferred alternative will benefit or have adverse impacts to threatened or endangered species.

However, the Vines parcel contains suitable habitat for listed and candidate bat species and may provide roosting or foraging habitat. Under the no action alternative, the buildings and other structures now present on the Honig parcel are occupying what could have been suitable habitat for bats. The preferred alternative has a minor, beneficial, permanent impacts on bats because the Vines parcel has early successional habitat, which serves as foraging habitat for many bat species, and additional habitat acres will be restored on the Vines parcel. Prior to implementing any activity on a wildlife area that may potentially impact bat habitat (e.g., managing forests for wildlife), DNREC-DFW conducts acoustic surveys following the Service's survey guidelines. If surveys indicate probable presence of listed bats, DNREC-DFW will cancel, modify or seasonally restrict the management activity.

#### **6.5 Wetlands, Streams, and Water Quality**

There are no potential impacts to wetlands, streams, or water quality under the no action alternative because there are no wetlands on the Honig parcel.

The preferred alternative affords a significant, beneficial, permanent impact because the Vines parcel provides protection for and access to approximately 300 feet of stream frontage and approximately 1.5 acres of forested wetlands. The associated public use of these resources is discussed in section 6.8 below. There are no potential adverse impacts because these areas will be protected from development and any future action (e.g., habitat management, access improvements) near wetlands or streams will follow best management practices.

#### **6.6 Noise**

There are no impacts or differences between the no action alternative and the preferred alternative.

#### **6.7 Cultural and Historical Resources**

There are no impacts to cultural and historical resources, or any differences between the no action alternative and the preferred alternative. Any action on state lands that may potentially affect cultural or historical resources is appropriately evaluated per the National Historic Preservation Act when there is a federal nexus

(e.g., use federal funding to support project activities), or the State Historic Preservation Act when there is no federal nexus. Therefore, regardless of which alternative is ultimately selected, DNREC will continue to consult with a state historic preservation officer and protect areas on state lands where these resources occur.

### 6.8 Public Use, Access and Recreation

There are two significant, beneficial, direct and permanent impacts of the preferred alternative: scale, and increased opportunities for outdoor recreational activities and upland game and waterfowl hunting. The 30-acre Vines parcel is larger in size than the 23-acre Honig parcel, and the Vines parcel also does not have buildings or other structures compared to the Honig parcel, which had a residence and associated farm buildings at the time of acquisition and which today still has buildings and other structures that are in continuous use. These structures and associated safety zones (i.e., 100 yards from an occupied structure) eliminate the potential to allow public hunting and trapping within the majority of the Honig parcel. The Vines parcel has no structures and therefore will allow hunting and other wildlife-dependent outdoor recreational activities (e.g., wildlife viewing) consistent with the original purpose of the W-18-L-7 grant agreement.

### 6.9 Socioeconomic Environment and Environmental Justice

The Honig and Vines parcels are both located in rural areas within 15 miles of Dover. Both provide access to outdoor recreational opportunities for those who purchase a hunting license or a Conservation Access Pass, which can be purchased for a nominal fee. However, neither property is currently accessible via public transportation. Neither the no action alternative nor the preferred alternative would result in adverse impacts to minority communities or low-income populations. The preferred alternative has a beneficial, significant, direct, permanent impact on local communities by providing more acreage to access for wildlife-dependent recreation opportunities, including upland game and waterfowl hunting, trapping and wildlife viewing.

## 7.0 COMPARISON OF ENVIRONMENTAL CONSEQUENCES

A comparison of the effects, impacts, and differences between the no action alternative and the preferred alternative is provided in Table 1. There are numerous comparable species present and similar public uses that render the Vines parcel a suitable replacement property for the Honig parcel. Additionally, there are significant, positive benefits, including public access to more public land and additional hunting and trapping opportunities.

Table 1. Summary of impacts by alternatives.

Impact Topic	No Action Alternative: 23-acre Honig parcel	Preferred Alternative: 30-acre Vines parcel as Replacement Land
General Land Use and Administration	No impact	Effect on the federal nexus of both properties; potential benefits for administration and management of both parcels
Fish and Wildlife	Direct impacts to wildlife from existing structures that displace wildlife	Direct impacts to wildlife from legal hunting and trapping (mortality); Potential indirect impact on wildlife from human disturbance

Habitat	Direct impacts to wildlife from existing structures that displace habitat	Direct beneficial impact via potential future habitat management
Threatened and Endangered Species	No impact	No direct impact; Potential benefit by protecting and restoring foraging habitat and roosting for bats
Wetlands, Streams and Water Quality	No impact	Direct impact via protection of approximately 300 feet of stream frontage and approximately 1.5 acres of wetlands and associated recreation opportunities
Noise	No impact	No impact
Cultural and Historical Resources	No impact	No impact
Public Use, Access and Recreation	No impact	Direct benefit via access to more public land and increased wildlife-dependent recreation opportunities (hunting, trapping, wildlife viewing)
Socioeconomic and Environmental Justice	No impact	Direct impact via greater wildlife-dependent recreation opportunities for local urban, suburban, and rural communities

## 8.0 CUMULATIVE IMPACT

There are no anticipated cumulative impacts of either the no action alternative or the preferred alternative.

## 9.0 CONSULTATION, COORDINATION AND PUBLIC INVOLVEMENT

### Consultation and coordination:

DNREC-DFW prepared this draft EA in consultation and coordination with the Service.

### Public involvement:

DNREC-DFW is making this EA available by posting to the DNREC Public Notices website for a 30-day public comment period at <https://dnrec.alpha.delaware.gov/dnrec-public-notices/>. DNREC-DFW and the Service will review and consider any substantive comments received and, if necessary, would prepare a final EA in consultation with the Service. The Service will then determine whether or not the proposed action has the potential to significantly affect the quality of the human or natural environment, and either prepare a Finding of No Significant Impact (FONSI) or request that DNREC-DFW prepare an Environmental Impact Statement (EIS) to further address significant issues.

## 10.0 LIST OF PREPARERS

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Kerri Batrowny, DNREC-DFW, Conservation Land Acquisition Specialist

## 11.0 REFERENCES

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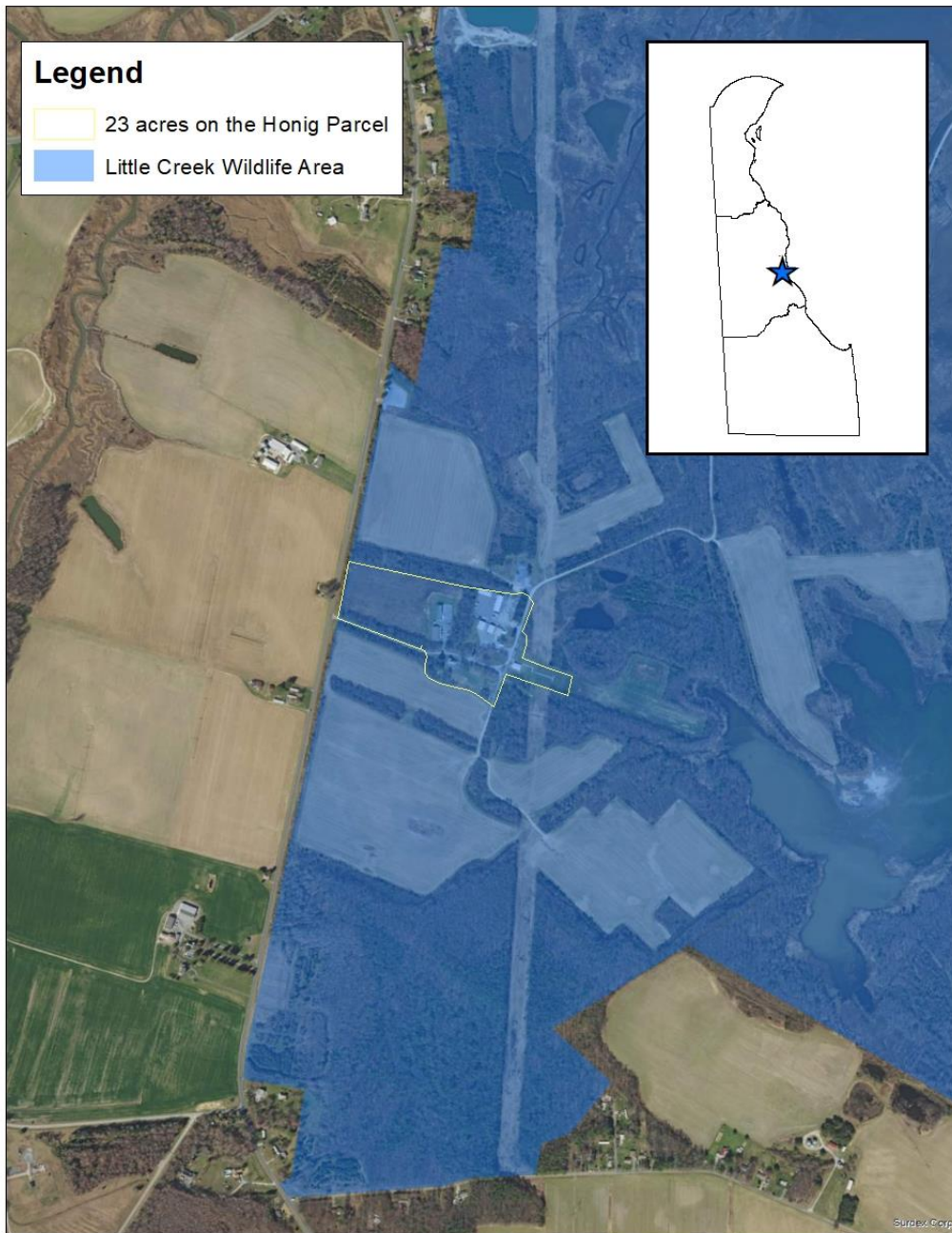
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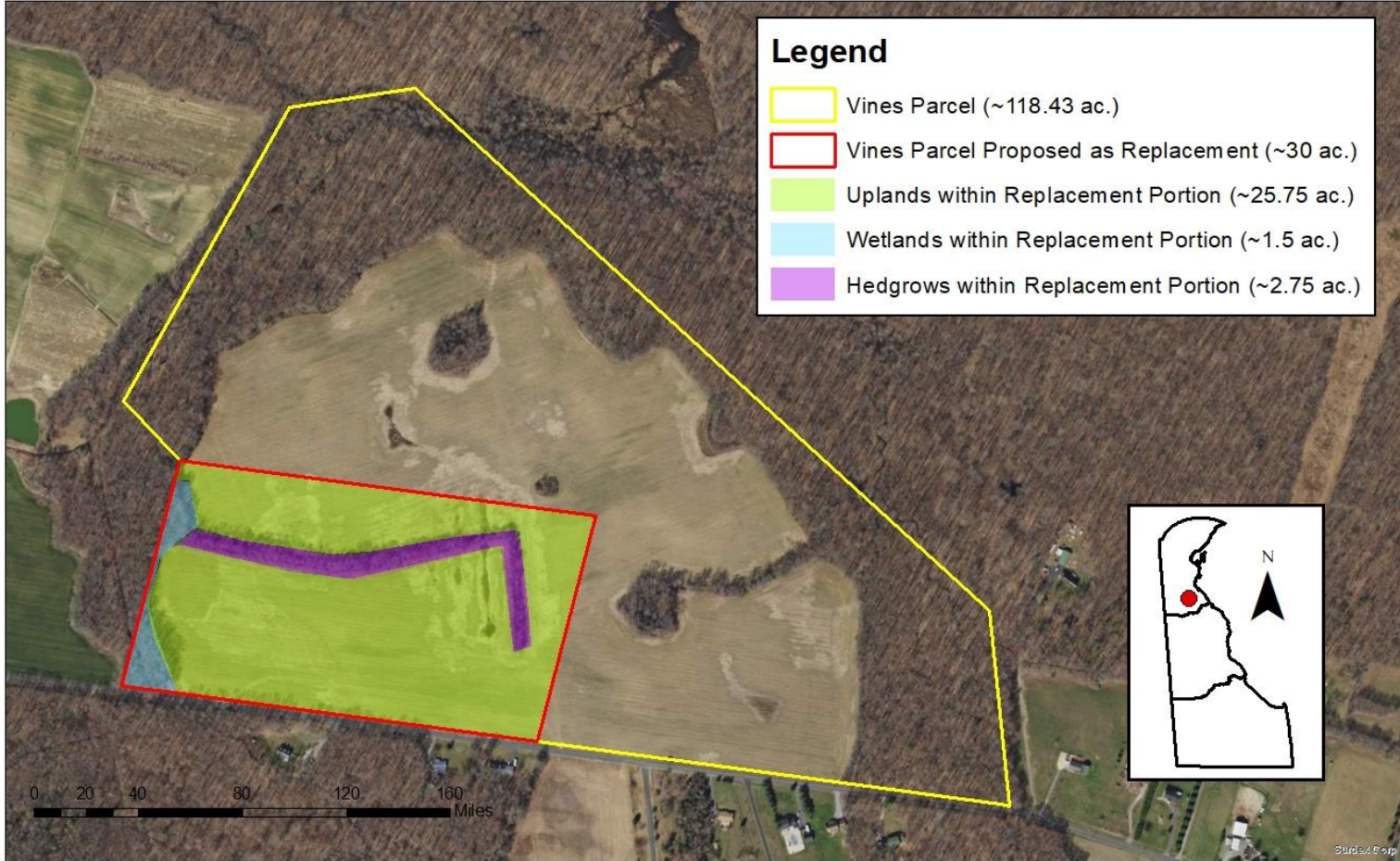
## 12.0 APPENDICES

### Appendix A. Maps



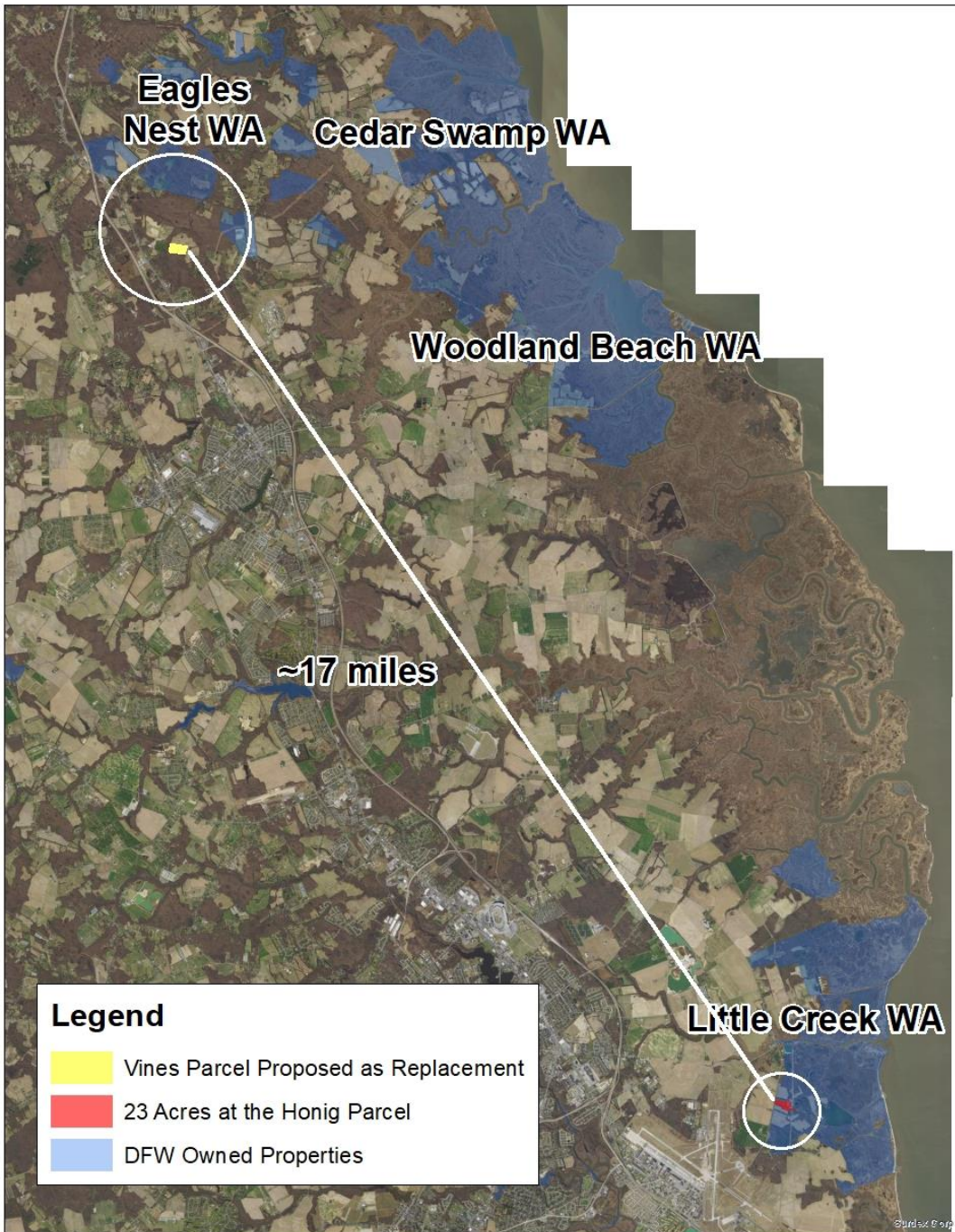
### **23 Acres on the Honig Parcel Little Creek Wildlife Area Dover, Kent County, Delaware**

**Figure 1.** Map showing the 23-acre portion of the Honig parcel at the Little Creek Wildlife Area, Kent County, Delaware, where there is interference with the purpose of the land as stated in the federal grant agreement funding the acquisition of the property.



## Vines Parcel Land Proposed as Replacement

**Figure 2.** Map showing the habitat of the proposed replacement lands on the Vines Parcel at the Eagles Nest Wildlife Area, New Castle County, Delaware.



**Distance from the 23 Acres at the Honig Parcel (Little Creek WA) to the land proposed as replacement at the Vines Parcel (Eagles Nest WA)**

**Figure 3.** Distance between the proposed 30-acre Vines Parcel proposed to replace the 23-acre Honig Parcel at the Little Creek Wildlife Area where there is interference with the purpose of the land as stated in the federal grant agreement funding the acquisition of the property.

## Appendix B. Habitat and Recreation Benefits Matrix

Habitat and Recreational Benefits Matrix. Comparison of wildlife habitat, wildlife population presence, recreational opportunities, and proximity to local population centers for the proposed replacement land on the 30-acre Vines Parcel at the Eagles Nest Wildlife Area and for the 23-acre Honig Parcel at the Little Creek Wildlife Area where there is interference with the purpose of the land as stated in the federal grant agreement funding the acquisition of the property.

Property Characteristic	Proposed Replacement Property (Vines Parcel-Eagles Nest WA)	Area Out of Compliance (Honig Parcel- Little Creek WA)
<b>Acreage</b>		
	~30 acres	~23 acres
<b>Wildlife Species Presence</b>		
Large Game Species (deer, turkey)	Present	Present
Small Game Species (squirrel, rabbit, quail)	Present	Present (except quail)
Furbearer species (fox, raccoon, skunk, muskrat)	Present (except muskrat)	Present (except muskrat)
Migratory birds	Present	Present
Game Fish Species	Not present	Not Present
Nongame Fish Species	Not present	Not Present
Aquatic invertebrates	Not present	Not Present
Reptiles & Amphibians	Present	Present
<b>Public Access Opportunities</b>		*Because of the current and proposed structures on the property, there is no hunting on these 23 acres. These public access opportunities are considered as if the property was vacant and such activities were allowed.
Hunting	Big Game – available Small Game – available Furbearer – available Waterfowl – available	Big Game – available Small Game – available Furbearer – available Waterfowl – available
Trapping	Small Game – available Furbearer – available	Small game – available Furbearer – available
Wildlife Viewing	Available	Available
Fishing	Unavailable	Unavailable
<b>Habitat Management/Restoration Potential</b>		
Shrubland/Grassland	~28.5 acres (tillable land and hedgerows)	~23 acres (tillable land and hedgerows)
Forested Wetland	~1.5 acres	0 acres
<b>Local Population Centers</b>		
Smyrna	~4 miles	~13 miles
Middletown	~8.5 miles	~25 miles
Dover	~14.5 miles	~4.5 miles
Wilmington	~27 miles	~41 miles
<b>Area Out of Compliance</b>		
Honig Parcel- Little Creek WA	~17 miles	N/A