

THREATENED, ENDANGERED and PROTECTED RESOURCES Factor Sheet 8-20-2018

Wisconsin Department of Transportation

Alternative:	Preferred: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Identified	Project ID:
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This Factor Sheet is broken down into federal, state and other protected resources due to different regulatory requirements. Specific species location information is sensitive, confidential information and should never be included in environmental documents. Label areas on maps and plans as area to be protected.

Federal Resources

1. Complete the following table using the Official Species List from U.S. Fish and Wildlife Service (FWS):

The Official Species List can be found at FWS Midwest Region website:

<https://www.fws.gov/midwest/endangered/index.html> or via the FWS's Information for Planning and Conservation (IPaC) tool: <https://ecos.fws.gov/ipac/>.

The Official Species List should be reviewed at major project milestones to ensure the project-specific species list and impact evaluation is up to date.

Proposed species, which are species officially proposed for federal listing under the Endangered Species Act (ESA) via a proposed rule in the Federal Register, must be included in the table below. These species are included in the Official Species List from FWS.

Refer to WisDOT's Section 7 consultation guidance or FWS's Section 7 Technical Assistance website (<https://www.fws.gov/midwest/endangered/section7/s7process/index.html>), and coordinate with the REC for assistance in making effect determinations for federally listed species. Consultation procedures may differ by species if species-specific guidance is available (e.g. northern long-eared bat consultation procedures).

Species status descriptions include: endangered, threatened, proposed or candidate species.

Effect determinations include: no effect; may affect, not likely to adversely affect; or may affect, likely to adversely affect.

Species-specific critical habitat may also be listed on the Official Species List. Critical habitat may be included on the list below, but is also addressed in question two under this section.

Justification should clearly demonstrate how the level of effect was determined. Justification may include information related to suitable habitat, surveys, or results from resource agency correspondence.

Justification for effect determinations must be provided for each species listed on the table below.

Species Common Name	Species Scientific Name	Federal Status	Effect Determination	Justification/ Explanation

Date of Official Species List:

Document all species identified on Official Species List, including proposed species.

2. Is there designated or proposed critical habitat in the vicinity of the project?

☐ No

☐ Yes – Describe critical habitat, proximity to project, and potential impacts to the critical habitat:

“Critical habitat” differs from “suitable habitat.” “Suitable habitat” refers to habitat that is suitable for the species or habitat where the species is likely to occur. “Critical habitat,” on the other hand, is officially designated by FWS through the federal rule-making process and consists of specific geographic areas that contain features essential for the conservation of threatened or endangered species. Official maps of critical habitat are available on FWS’s species-specific websites or through the IPaC website. Refer to FWS’s Critical Habitat Fact Sheet for additional information: <https://www.fws.gov/midwest/endangered/saving/CriticalHabitatFactSheet.html>

3. Has Section 7 consultation with FWS been completed?

☐ No – Explain:

☐ Yes – Describe consultation efforts and conclusions:

Refer to WisDOT Section 7 consultation guidance or FWS’s Section 7 Technical Assistance website (<https://www.fws.gov/midwest/endangered/section7/s7process/index.html>), and coordinate with the REC for guidance on the Section 7 consultation process. Consultation procedures may differ by species if species-specific guidance is available (e.g. northern long-eared bat consultation procedures).

Generally, consultation starts with informal consultation for actions that may affect, but will not adversely affect listed or proposed resources. Consultation progresses to formal consultation if the action is likely to adversely affect listed or proposed resources.

4. Are avoidance, minimization or compensatory mitigation measures required?

☐ No

☐ Yes – Describe. Include commitments on Basic Sheet 9, Environmental Commitments:

Describe the avoidance, minimization and/or compensatory mitigation action required. The project may be required to incorporate all three measures, or just select measures (such as just avoidance measures or just compensatory mitigation measures). Include any follow up action that is required, such as implementing mitigation measures. Also include a summary of anticipated benefit or impact of required measures.

State Resources

1. Are threatened or endangered species known to occur in the vicinity of the project?

☐ None identified.

☐ Yes – Complete the following table and include the date of the most recent NHI review by WDNR:

The presence or potential presence of state-listed species will generally be identified by WDNR during their initial review and their evaluation of the Natural Heritage Inventory (NHI) database. Additional information on state-listed species can be found on WDNR’s website: <http://dnr.wi.gov/topic/endangeredresources/>.

Species Common Name	Species Scientific Name	State Status	Effect Determination	Justification/ Explanation

Date of Natural Heritage Inventory (NHI) database review:

2. Has threatened and endangered resource coordination with WDNR been completed?

- ☐ No – Explain:
☐ Yes – Attach and reference location in this document:

Consultation may be ongoing after NEPA documentation, particularly for mitigation-related aspects of the action.

3. Are avoidance, minimization or compensatory mitigation measures required?

- ☐ No
☐ Yes – Describe. Include commitments on Basic Sheet 9, Environmental Commitments:

Describe the avoidance, minimization and/or compensatory mitigation action. The project may be required to incorporate all three measures, or just select measures (such as just avoidance measures or just compensatory mitigation measures). Include any follow up action that is required, such as implementing mitigation measures. Also include a summary of anticipated benefit or impact of required measures.

Other Protected Resources

Bald and Golden Eagles

1. Are bald and/or golden eagles known to occur near the project?

- ☐ None identified
☐ Yes, describe:

The presence or potential presence of bald and/or golden eagles will generally be identified by WDNR during their initial review and evaluation of the Natural Heritage Inventory (NHI) database. Presence or potential presence may also be identified on FWS's resource list generated from the IPaC website. Additional information on bald and golden eagles can be found on WDNR's website: <http://dnr.wi.gov/topic/endangeredresources/> or FWS's website: <https://www.fws.gov/midwest/midwestbird/EaglePermits/index.html>.

2. Will there be adverse or beneficial effects on bald and/or golden eagles as a result of the project?

- ☐ No, explain:
☐ Yes, describe general proximity to project and potential impacts:

Assessment of effects should address potential impacts to the eagles, as well as their nests and eggs.

3. Has bald and golden eagle-related coordination with WDNR and/or FWS been completed?

- ☐ No, explain:
☐ Yes, attach and reference location in this document:

Consultation may be ongoing after NEPA documentation, particularly for mitigation-related aspects of the action.

4. Are avoidance, minimization or compensatory mitigation measures required?

- ☐ No
☐ Yes, describe. Include commitments on Basic Sheet 9, Environmental Commitments:

Describe the avoidance, minimization and/or compensatory mitigation action. The project may be required to incorporate all three measures, or just select measures (such as just avoidance measures or just compensatory mitigation measures). Include any follow up action that is required, such as implementing mitigation measures. Also include a summary of anticipated benefit or impact of required measures.

Migratory Birds

1. Are migratory birds known to occur in the vicinity of the project?

- ☐ None identified

☐ Yes, describe:

The presence or potential presence of migratory birds will generally be identified by WDNR during their initial review and evaluation of the Natural Heritage Inventory (NHI) database. Presence or potential presence may also be identified on FWS's resource list generated from the IPaC website. Additional information on migratory birds can be found on WDNR's website: <http://dnr.wi.gov/> or FWS's website: <https://www.fws.gov/midwest/midwestbird/>.

Typically, migratory bird concerns are related to swallows or other birds nesting on bridges. Bird nesting on bridges may require time of year restrictions, FWS permits and/or netting to preclude nesting.

2. Will there be adverse or beneficial effects on migratory birds because of the project?

☐ No, explain:

☐ Yes, describe general proximity to project and potential impacts:

3. Has migratory bird-related coordination with WDNR and/or FWS been completed?

☐ No, explain:

☐ Yes, attach and reference location in this document:

Consultation may be ongoing after NEPA documentation, particularly for mitigation-related aspects of the action.

4. Are avoidance, minimization or compensatory mitigation measures required?

☐ No

☐ Yes, describe and include commitments on Basic Sheet 9, Environmental Commitments:

Describe the avoidance, minimization and/or compensatory mitigation action. The project may be required to incorporate all three measures, or just select measures (such as just avoidance measures or just compensatory mitigation measures). Include any follow up action that is required, such as implementing mitigation measures. Also include a summary of anticipated benefit or impact of required measures.

All environmental commitments made to avoid, minimize or compensate impacts must be listed on Basic Sheet 9, Environmental Commitments.