

Intra-Service Section 7 Biological Evaluation Form Region 3

Originating Person: Michael J. Coffey (ES) and Nathan Eckert (Fisheries) Date Submitted: April 21, 2011

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I. Service Program and Geographic Area or Station Name:

II. Location: Location of the project including County, State and TSR (township, section & range):

Upper Mississippi River Pools 14, 15, 16 – Clinton, Scott, and Muscatine Counties, Iowa; and Whiteside, Rock Island, and Mercer Counties, Illinois

Lower Ohio River – Pulaski and Massac Counties, Illinois

III. Species/Critical Habitat: List federally-listed, proposed, and candidate species or designated or proposed critical habitat that may occur within the action area:

federally listed endangered Higgins eye mussel (*Lampsilis higginsii*)

federally listed candidate Sheepsnose mussel (*Plethobasus cyphus*)

federally listed endangered Fat Pocketbook mussel (*Potamilus capax*)

IV. Project Description: Describe the proposed project or action, including all conservation elements. If referencing other documents, prepare an executive summary. Include map and photos of site, if possible. (Attach additional pages as needed):

The proposed action is for the augmentation of existing mussel populations and for the reintroduction of a mussel species that has been extirpated from Iowa within its historic range. Please refer to Pool 15 Superfund Site Restoration Plan and NEPA Environmental Assessment with map figure for more details on this action (http://www.fws.gov/midwest/RockIsland/ec/Records/RP_EA_Pool15_Draft.pdf). The action includes the removal of about three live federally listed adult female mussel specimens from the wild for each of the three species mentioned above, the temporary holding, and use as brood stock for artificial propagation at Genoa, WI National Fish Hatchery. The brood stock and an allocation of the artificially propagated juvenile mussels will be returned to the wild at the location of the original removal action. The other juvenile mussels will be used for the augmentation and reintroduction. The action is beneficial because natural mortality may be mitigated by the artificial propagation.

V. Determination of Effects:

A. Description of Effects: Describe how the action(s) will affect the species and critical habitats listed in item III, including how Part IV conservation elements benefit or avoid adverse effects. Your rationale for the Section 7 determinations made below (VB.) should be fully described here.

There is the potential for harassment and harm to federally listed adult female mussels species from the capture and handling due to stress and disease. In addition, the glochidia from the adult female specimens will be used to infest fish held at the hatchery for artificial propagation purposes. The artificially propagated juvenile mussels will be used to benefit the species by augmentation or for reintroduction back into the wild.

The personnel involved with the above described action will follow all of the conservation measures, reasonable prudent measures, and the terms and conditions outlined in the Section 7 Programmatic Consultation for Federally listed Mussels in Region 3 in Relation to the Issuance of Section 10(a)(1)(A) Scientific Take Permits and Funding Recovery Activities Pursuit to Section 6(c)(1) by the U.S. Fish and Wildlife Service (October 3,

Reviewing Ecological Services Office Evaluation (check all that apply):

A. **Concurrence** _____ **Nonconcurrence** _____
Explanation for nonconcurrence:

B. Formal consultation required X
List species or critical habitat unit

C. Conference required _____
List species or critical habitat unit

Name of Reviewing ES Office RIFO

Signature J Miller Date 5/10/11

Intra-Service Section 7 Addendum Review Form

I. Biological Opinion: Pool 15 Superfund Site Mussel Population Augmentation and Reintroduction as part of the Section 7 Programmatic Consultation for Federally listed Mussels in Region 3 in Relation to the Issuance of Section 10(a)(1)(A) Scientific Take Permits and Funding Recovery Activities Pursuit to Section 6(c)(1) by the U.S. Fish and Wildlife Service (October 3, 2001)

Date Issued: April 21, 2011

II. Actions identified in part V of the attached Intra-Service Section 7 Biological Evaluation Form were contemplated in the referenced above Biological Opinion. Yes X No _____ .

III. The appropriate conservations measures identified in the referenced above Biological Opinion have been explicitly incorporated into to the project design and are described in part V of the attached Intra-Service Biological Evaluation Form. Yes X No _____ .

IV. The effects of the proposed action as described in part VI of the attached Intra-Service Biological Evaluation Form are commensurate with the effects anticipated in the referenced above Biological Opinion. Yes X No _____ .

V. Anticipated Take

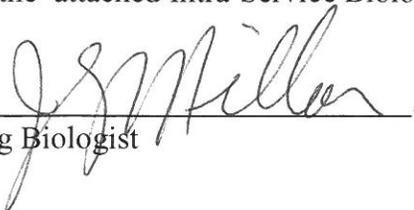
1. Describe the type & extent of take anticipated to occur as a result of the proposed action.

Between zero and three adult female mussels each of Higgins eye mussel, sheepsnose mussel, and fat pocketbook mussel. The loss of glochidia and juvenile mussels is anticipated to be not greater that what naturally occurs in the wild.

2. Reconcile take anticipated with proposed action with the type & extent of take authorized via the referenced above Biological Opinion (describe take authorization provided in the programmatic and confirm that the level anticipated with the proposed action is within those specified limits).

The anticipated level of take is within the limits prescribed by the Section 7 Programmatic Consultation for Federally listed Mussels in Region 3 in Relation to the Issuance of Section 10(a)(1)(A) Scientific Take Permits and Funding Recovery Activities Pursuit to Section 6(c)(1) by the U.S. Fish and Wildlife Service (October 3, 2001).

VI. The appropriate RPMs and TCs identified in the referenced above Biological Opinion have been explicitly incorporated into to project design and are described in part V of the attached Intra-Service Biological Evaluation Form. Yes X No _____ .



Reviewing Biologist

5/10/11
Date