

INTRA-SERVICE SECTION 7 BIOLOGICAL EVALUATION FORM

Project: Cooperative Agreement (No. F11AC00924) between the USFWS and Wisconsin DNR
Pertaining to the 2011 Great Lakes Restoration Grant in the Morainal Sands Recovery Unit

Person: Catherine Carnes Phone: 920-866-1732 Date: September 19, 2011

I. Region: 3 (Midwest)

II. Service Activity (Program): Ecological Services (ES)

III. Pertinent Species and Habitat:

A. Listed species and/or their critical habitat within the action area:
Karner blue butterfly (KBB)

B. Proposed species and/or proposed critical habitat within the action area: None

C. Candidate species within the action area: None

D. Include species/habitat occurrence on a map.
Refer to the map in Appendix A of attachment
(KBB high potential range is in blue).

IV Geographic area or station name and action: Green Bay ES Field Office

V. Location (attach map): Refer to the map in Appendix A of attachment.

A. Ecoregion Number and Name: Great Lakes Ecoregion

B. County and State: Waupaca, Portage, Waushara, Marquette, and Green Lake
Counties, Wisconsin

C. Section, township, and range (or latitude and longitude):
Multiple townships; refer to the map in Appendix A of attachment.

D. Distance (miles) and direction to nearest town:

- Waupaca is about 10 miles west of Hartman Creek State Park, Emmons Creek Fisheries Area and the Welch-Martin Tract.
- The Hamels Tract is located about 6 miles south of Coloma
- White River Marsh Wildlife Area is located 3 miles west of Berlin
- Greenwood Wildlife Area is located 1 mile southeast of Hancock.

E. Species/habitat occurrence: Work under this grant will occur on four state and two private recovery properties located in the Morainal Sands Recovery Unit (RU). The state properties are: White River Marsh Wildlife Area, Hartman Creek State Park, Emmons Creek Fisheries Area and Greenwood Wildlife Area; the private properties are the Welch-Martin and Hamel tracts (refer to Appendix A map in attachment).

Note: There are a number of Species of Greatest Conservation Need Associated with Pine and Oak Barrens in Wisconsin, including Wisconsin state listed species (refer to Appendix B of attachment). Restoration of barrens habitat for the KBB will benefit a number of these species as well.

VI. Description of proposed action (attach additional pages as needed):

- Vegetation monitoring of barrens sites, including sites occupied by KBBs and unoccupied sites in the Morainal Sands Recovery Unit (MSRU). This will involve assessment of vegetation structure and plant groups (including native and invasive species) within randomly placed 4-meter diameter transects.
- Coordination of, and conducting surveys for the KBB (by volunteers, Wisconsin Department of Natural Resources, and U.S. Fish and Wildlife Service staff). Surveys involve random walks through the habitat [presence/absence (P/A) surveys] or walks along multiple transects (Distance and relative abundance surveys).
- Development of a KBB volunteer network to provide opportunities for citizens to participate and contribute to KBB recovery activities (KBB surveys and vegetation monitoring).
- Surveys to identify lupine sites and KBB populations on private lands within the MSRU that can provide connectivity between KBB populations and support KBB recovery efforts within the MSRU. This will involve coordination with the Services Partners Program.
- Development of preliminary draft recovery implementation plans for the state recovery properties.

Note: For more detail on these project activities, refer to attachment.

VII. Determination of effects:

A. Explanation of effects of the action on species and critical habitats in items III. A, B, and C (attach additional pages as needed):

All the activities (noted in VI above) will benefit the KBB and associated barrens species by restoring and securing quality habitat for the butterfly and will assist in the recovery of the KBB. The KBB survey activities will provide information on KBB

population size on recovery sites that will be used to assess progress on meeting the recovery criteria (in the KBB Recovery Plan) for these sites. Vegetation monitoring information will be used to assess the success of habitat restoration work at the project sites. The KBB and vegetation information will also be used by managers to make informed decisions on habitat management needs to benefit the KBB and associated barren species. Growing the volunteer group will provide needed help to conduct the KBB and vegetation surveys. Surveys to identify additional KBB sites in the MSRU could help expand the current metapopulation size on recovery sites, helping to secure the species and meet recovery goals. Development of preliminary draft recovery implementation plans is a needed step to secure long term conservation for the species.

B. Explanation of actions to be implemented to reduce adverse effects:

Conducting survey training, growing the volunteer group, and developing recovery implementation plans: These activities will benefit the species by helping to assess progress towards recovery (with surveys) and securing long term protection for the species (via recovery implementation plans).

Vegetation Surveys: To avoid adverse impacts to the KBB, surveyors will avoid stepping on wild lupine (*Lupinus perennis*). This is the only known host plant of the KBB; eggs, larvae and pupae could be adversely affected if the plant is trampled. The project coordinator will advise the surveyors during training not to step on lupine. In addition each data sheet will include text that advises surveyors not to step on lupine. Survey protocols include not stepping within the vegetation plot, but rather walking carefully around the study plot to observe and record vegetation; this will help minimize and avoid trampling of lupine plants as well. Some inadvertent take of KBBs may result from stepping on lupine especially late in the growing season after it starts to die back. Adult KBBs may move away from areas where surveyors are working on vegetation study plots, but this is not anticipated to adversely affect KBBs. KBBs do not appear harassed by people, they do not move far from surveyors, and are known to perch on people's hands, likely to obtain salts from the skin.

KBB Surveys: KBB surveys involve random walks or walks along transects through occupied KBB habitat. Surveyors are advised to avoid stepping on lupine during survey training and text is included on survey forms that provides this advice as well. However, inadvertent trampling of lupine may result as surveyor's attention may be more focused on looking for the KBB rather than identifying lupine, and lupine becomes harder to see later in the growing season after it starts to senesce. Therefore KBB surveys, especially those conducted later in the field season may adversely affect the butterfly.

Based on the above information conducting survey training, growing the volunteer group, and developing preliminary draft recovery implementation plans will all benefit the KBB and therefore, these activities may affect but are not likely to adversely affect the

butterfly. For reasons noted above, vegetation and KBB surveys may adversely affect the KBB, especially if conducted late in the growing season when lupine begins or has senesced.

VIII. Effect determination and response requested: [* = optional]

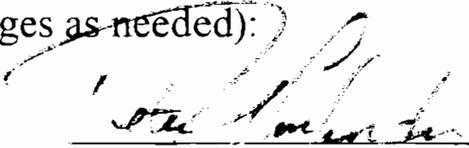
A. Listed species/designated critical habitat:

<u>Determination</u>	<u>Response requested</u>
no effect/no adverse modification (species: _____)	___*Concurrence
may affect, but is not likely to adversely affect species/adversely modify critical habitat (species: <u>Karner blue butterfly</u>) (for survey training, growing the volunteer group, and developing draft recovery implementation plans)	___x___ Concurrence
may affect, and is likely to adversely affect species/adversely modify critical habitat (species: <u>Karner blue butterfly</u>) (for KBB and vegetation surveys)	___x___ **Formal Consultation

** Formal consultation not necessary. The Service's June 21, 2010 Biological Opinion and Incidental Take Statement completed for issuance of an incidental take permit (Permit No. TE-10064-6) for implementation of the Wisconsin Statewide KBB Habitat Conservation Plan provides section 7 coverage for take of KBBs related to survey activities.

IX. Reviewing ESO Evaluation:

- A. Concurrence Nonconcurrency
- B. Formal consultation required No
- C. Conference required
- D. Informal conference required
- E. Remarks (attach additional pages as needed):



Field Supervisor
Green Bay ES Field Office

11 Sep 2011

date

Attachment 1

(see adm. file
for whole
agmt)

FOR SERVICE USE ONLY:
DCN: F11AC00924 // AR: 3220-B-A045
Federal: \$51,800.00 (FY11) // Fund code: 32420-4813-3GLA
Matching Funds: \$7,000.00
ABC: D2 // BOC: 411C // CFDA No. 15.662 // FAADS Type: 00

**COOPERATIVE AGREEMENT
No. F11AC00924
BETWEEN THE
U.S. FISH AND WILDLIFE SERVICE
AND THE
WISCONSIN DEPARTMENT OF NATURAL RESOURCES**

I. RECIPIENT:

Wisconsin Department of Natural Resources
101 S. Webster Street
P.O. Box 7921
Madison, Wisconsin 53703-7921

EIN: 39-6006436
DUNS: 809611247
Phone: 608-267-2771

II. STATUTORY ENABLING AUTHORITY:

This Cooperative Agreement between the U. S. Fish and Wildlife Service (hereinafter referred to as the "Service") and the Wisconsin Department of Natural Resources (hereinafter referred to as the "Recipient") is entered into under general authority of the ~~Fish and Wildlife Coordination Act (16 U.S.C. 661), Fish and Wildlife Act (16 U.S.C. 742a), Fish and Wildlife Conservation Act (16 U.S.C. 2901), Nonindigenous Aquatic Nuisance Prevention and Control Act (16 U.S.C. 4701), and Great Lakes Fish and Wildlife Restoration Act (16 U.S.C. 941 et seq).~~

III. APPROPRIATION AUTHORITY & AWARD AMOUNT:

Contingent upon execution by authorized representatives of the parties hereto, this Cooperative Agreement shall serve as the official obligating instrument for transfer to the Recipient of up to \$51,800.00 in federal Fiscal Year 2011 (FY11) funds from Service account 32420-4813-3GLA, to be used only for the purposes authorized within this agreement. These funds have been allocated under the Statutory Authority of Public Law 111-88, the Interior, Environment and Related Agencies Appropriations Act, 2010.

IV. PURPOSE:

This federal assistance is being provided to help the Recipient restore and maintain high quality barrens habitat for rare barrens species and support the recovery of the Karner blue butterfly (*Lycaeides melissa samuelis*) at recovery properties located in the Morainal Sands Recovery Unit in east central Wisconsin consistent with the recommendations in the U.S. Fish and Wildlife Services (Services) Karner Blue Butterfly Recovery Plan (2003). To accomplish this goal, the Recipient intends to restore and manage barrens habitat. These actions will help recover and maintain populations of the Karner blue

NEPA DOCUMENTATION

State: WI GLRI Endangered Species Grant Number/Amendment: Cooperative Agmt No F11AC00924
Grant/Project Name: GLRI Morainal Sands Recovery Unit 2011 Burens Restoration Activities

This proposal is; is not completely covered by categorical exclusion(s) FWS 601 in 516 DM 8 and/or 516 DM 2 Appendix 1.

(Review proposed activities. An appropriate categorical exclusion must be identified before completing the remainder of the documentation. If a categorical exclusion cannot be identified, or the proposal cannot meet the qualifying criteria in the categorical exclusion, or an extraordinary circumstance applies (see below), an EA may be required.)

Extraordinary Circumstances:

Will This Proposal (check (✓) yes or no for each item below):

- | Yes | No | |
|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1. Have significant impacts on public health or safety. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds (Executive Order 13186); and other ecologically significant or critical areas. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office, the State Historic Preservation Officer, the Tribal Historic Preservation Officer, the Advisory Council on Historic Preservation, or a consulting party under 36 CFR 800. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007). |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112). |

(If any of the above extraordinary circumstances receive a "Yes" check (✓), an EA may be required. Consult with FA biologist for determination.)

Yes No This grant/project includes additional supporting information. Intra Service ST Consultation

Prepared by: Catherine Carner Date: 9-19-11

Within the spirit and intent of the Council of Environmental Quality's regulations for implementing the National Environmental Policy Act (NEPA) and other statutes, orders, and policies that protect fish and wildlife resources, I have established the following administrative record and have determined that the grant/segment/amendment:

- is a categorical exclusion as provided by 516 DM 8, and/or 516 DM 2, Appendix 1. No further NEPA documentation will therefore be made.
- is not completely covered by the categorical exclusion as provided by 516 DM 8, and/or 516 DM 2, Appendix 1. An EA must be prepared.
- is covered by an existing EA. FONSI/EAS dated: _____

Service signature approval:

Field Supervisor, Region 3 ES Field Office: [Signature] Date: 21 September 2011