

**ENVIRONMENTAL ACTION STATEMENT / SCREENING FORM
FOR A SAFE HARBOR AGREEMENT (SHA)**

I. Project Information

A. Project name:

Safe Harbor Agreement for Hine's emerald dragonfly (*Somatochlora hineana*) on Lands Owned by the Forest Preserve District of DuPage County (DISTRICT)

B. Affected species:

Hine's emerald dragonfly (*Somatochlora hineana*)

C. Project size (in acres): Approximately 15 acres

D. Brief project description including conservation elements of the plan:

The objectives of the management activities include efforts to create rivulet systems that are suitable Hines emerald dragonfly (HED) larval/breeding habitat. This project will enable the partners to experimentally manipulate flow rate, temperature, and degree of permanence; and to allow monitoring of larval HED recruitment, survival rates, and restoration of a narrow band of habitat along each rivulet which mimics the structure of known breeding habitat. These objectives should be accomplished in a way that contributes to or does not compromise longer term and more extensive habitat restoration efforts on the site.

A detailed hydrogeologic characterization study will be completed and the results used to inform the final design of these restoration efforts. The design will also be guided by the interdisciplinary HED working group (HEDWG) that has been established by the Illinois State Toll Highway Authority (ISTHA). Hydrogeologic monitoring will also be conducted throughout the restoration efforts. The details of the final design and monitoring program will be reviewed and approved by the SERVICE and the DISTRICT prior to implementation.

II. Does the SHA fit the criteria as described in the SHA policy? Yes

A. Are the effects of the SHA less than significant on the rangewide population of federally listed, proposed, or candidate species or other wildlife and their habitats covered under the SHA?

Hine's emerald dragonfly: Yes. The effects on HED are less than significant or ultimately beneficial on a rangewide basis. The efforts under this SHA would be to learn how to create or restore suitable habitat in places that currently lack some or all of the essential elements of suitable habitat in order to provide additional breeding sites and larval habitat. Careful monitoring will be conducted both of the newly created habitat and nearby occupied habitat. This will enable the SERVICE to determine the success of the new habitat creation/restoration and any potential effects on nearby habitat and populations. In Illinois, it is currently thought that the HED population is composed of several subpopulations that may function as a metapopulation. The monitoring for this project and ongoing genetics and population research on the HED will enable the SERVICE to ensure that the new habitat is not acting as a population sink.

B. Are the effects of the SHA minor or negligible on other environmental values or resources (e.g. air quality, geology and soils, water quality and quantity, socio-economic, cultural resources, recreation, visual resources, etc.)?

The proposed actions under this SHA will be minor or negligible on other environmental values or resources. There are no impacts expected or conceivably possible on air quality, geology and soils, water quality and quantity, socio-economic, cultural resources, recreation, or visual resources. There will be very minor disturbance of soil during installation of any permanent piping systems to convey water from the artesian well to the rivulet creation locations, and minimal emissions are expected. The site is entirely within public lands owned by the DISTRICT who can control access during construction. No structures shall be constructed nor will there be other changes to visual resources. Recreational values will not be impacted by this action. The proposed reestablishment sites are on one landowner's property, and the adjacent properties are managed by the Department of Energy (Argonne National Laboratory) and other private commercial entities. Downstream gradient habitat is not expected to be altered.

No socio-economic values should be impacted, and this land is entirely within Waterfall Glen Forest Preserve and bounded by Argonne and the Des Plaines River and associated canals. This project will in no way affect access or use of the River or canals.

C. Would the impacts of this SHA, considered together with the impacts of other past, present, and reasonably foreseeable similarly situated projects not result, over time, in cumulative effects to environmental values or resources which would be considered significant?

Yes, the proposed action would NOT result in significant cumulative effects to environmental values or resources. The area is within a natural landscape managed as a natural area, and with no residential areas immediately downstream of the project site. This project is consistent with existing land uses, and no changes in current land use or management is anticipated, either on private or Federal lands. Therefore, no significant cumulative effects to environmental or resource values are anticipated.

III. Do any of the exceptions to categorical exclusions apply to this SHA? (From 516 DM 2.3, Appendix 2)

Would implementation of the SHA:

A. Have significant adverse effects on public health or safety?

No. The covered species is not dangerous or known to be vectors of any human pathogens, nor would its habitat attract other such species.

B. Have adverse effects on such unique geographic characteristics as historic or cultural resources, park, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks?

No. There is minimal construction to install water pipes and flow controls. No structures would be affected or constructed. There is no other ground breaking, or any other destructive activity associated with this action.

C. Have highly controversial environmental effects?

No. The covered DISTRICT property is surrounded on the north by Federal lands managed by DOE. The remaining areas not within Waterfall Glen Forest Preserve are private but would not be affected by the proposed action. Moreover, habitat restoration actions such as these are within the normal practices and mission of the DISTRICT on all of its properties.

D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?

No. This habitat restoration/creation effort uses combinations of standard restoration techniques that involve only localized manipulation of hydrology and vegetation to create habitat that mimics nearby natural habitat.

E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?

No. Similar agreements are being drafted under the SHA policy, but each agreement is negotiated with the applicant and is individualized based upon the participants and the resource values included.

F. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects?

No. While this action is similar to a planned Federal action, neither action is likely to be significant in either individual or cumulative effects.

G. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places?

No. The FWS is unaware of any sites within the Agreement's covered area listed or eligible for listing on the National Register of Historic Places. It is unlikely that any action under this Agreement would alter any such property to make it ineligible or harm an existing listed property.

H. Have adverse effects on listed or proposed species, or have adverse effects on designated Critical Habitat for these species?

No. After reviewing the current status of the HED, the environmental baseline for the action area, the effects of proposed enhancement of survival permit issuance, and the cumulative effects, it is the SERVICE's biological opinion that the action, as proposed, is not likely to jeopardize the continued existence of HED.

This no jeopardy finding is supported by the following:

The SHA will result in a net conservation benefit for HED, as required by the SERVICE's Safe Harbor Policy. Habitat improvements will likely contribute to HED recovery long after the expiration of the SHA. Without the SHA, the enrolled lands at Waterfall Glen Forest Preserve would not likely support suitable habitat for HED in the foreseeable future.

Critical Habitat

Critical Habitat was designated for the HED in September 2007. This included portions of Waterfall Glen Forest Preserve that generally exhibited the primary constituent elements. The "fish farm parcel" is not designated as critical habitat since it does not contain any of the constituent elements and does not provide any suitable habitat. Thus, any changes to the fish farm parcel will not affect critical habitat directly. The immediately adjoining lands described above in the enrolled project lands is within a unit of designated critical habitat, due to its proximity to the Emerald Fen area that does provide suitable HED breeding habitat. The specific area within the enrolled lands however, does not currently exhibit any suitable breeding habitat and lacks the primary constituent elements for HED habitat. The area will be managed and manipulated to create and/or restore suitable HED habitat, by establishing suitable hydrologic regimes, rivulet structure, and native vegetation. While these changes will affect an area designated as critical habitat, it will not adversely affect critical habitat. It is

intended to provide beneficial changes and provide increased area of suitable habitat containing all primary constituent elements.

Also see Biological Opinion.

I. Have adverse effects on wetlands, floodplains or be considered a water development project thus requiring compliance with either Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act?

No impacts to wetlands or floodplains are anticipated. Additional wetland habitat may be created by this project.

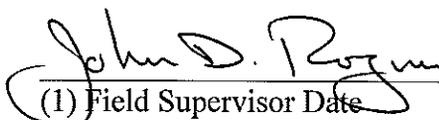
J. Threaten to violate a Federal, State, local, or tribal law or requirement imposed for the protection of the environment?

No. All actions have been and will continue to be coordinated with appropriate state and local authorities.

IV. ENVIRONMENTAL ACTION STATEMENT

Based on the analysis above, the Safe Harbor Agreement for Hine's emerald dragonfly (*Somatochlora hineana*) on Lands Owned by Forest Preserve District of DuPage County (DISTRICT), within the Waterfall Glen Forest Preserve meets the qualifications for a SHA whose implementation represents a class of actions which do not individually or cumulatively have a significant effect on the human environment. Therefore, this action is categorically excluded from further NEPA documentation as provided by 516 DM 2, Appendix 1 and 516 DM 6, Appendix 1.

Other supporting documents (list): Safe Harbor Agreement, Draft Biological Opinion

 _____ 4/1/08

(1) Field Supervisor Date

Concurrence:

(2) ARD - Ecological Services Date