

APPENDIX A

INTRA-SERVICE SECTION 7 CONSULTATION

INTRA-SERVICE SECTION 7 EVALUATION FORM

Originating Person: Linda Malz

Telephone Number: 952-858-0716

Date: July 14, 2003

I. Region: 3

II Service Activity: Refuges and Wildlife

III. A. Listed species and/or their critical habitat.

Bald eagle (*Haliaeetus leucocephalus*).

A. Proposed species and/or proposed critical habitat. NOT APPLICABLE

A. Category 1 candidate species. NOT APPLICABLE

A. Include species/habitat occurrence on a map. See maps attached with locations of all known active and inactive bald eagle nests in 2003 which are in close proximity to the Proposed Action. All flood plain forest and wetland habitat could potentially be used by feeding or roosting bald eagles.

IV Location

Geographic area or station name and action: Minnesota Valley National Wildlife Refuge, Bloomington, Minnesota. This consultation is in support of the Proposed Action identified in the Environmental Assessment (EA) for public use facility development (Proposed Visitor Contact Station, Environmental Education Center, and Intern Housing).

Section, township and range: all or portions of:

| <u>Development Units</u> | | <u>Legal Description</u> | | |
|--------------------------|-------------|--------------------------|-------------|--------------|
| | | Sec. | Twp. | Range |
| Intern Housing | NE1/4,SE1/4 | 36 | 115N | 24W |
| Public Use | SE1/4 | 31 | 115N | 23W |
| | NE1/4 | 6 | 114N | 23W |

County and State: Carver, Minnesota

V Description of proposed action:

This proposal entails adopting the Proposed Action as outlined within the EA (Proposed Visitor Contact Station, Environmental Education Center, and Intern Housing) prepared for public use facility development for Minnesota Valley National Wildlife Refuge. The proposed action includes the development of a new Visitor Contact Station and Environmental Education center in addition to intern housing. A new Visitor Contact Station inclusive of staff work space and an Environmental Education center would allow the Refuge to replace lost public use opportunities on the Long Meadow Lake and Black Dog Units and at the existing Visitor Center located in Bloomington. The existing Chaska brick home known as Mittelsted House #1 would be moved from its current location to higher ground and subsequently restored for use as the Visitor Contact station with staff work space. An annex would be built directly adjacent to the relocated brick house for use as an Environmental Education center. Outdoor interpretive facilities typically associated with visitor contact stations and education centers such as viewing areas, kiosks, trails, etc., would be constructed to enhance the visitor's on-the-ground experience at the site. A single-story, eight bedroom (two occupants per room) dormitory would house the additional staff needed to support expanded Refuge programs. The proposed facility development strives to mitigate the effects of the new Minneapolis-St. Paul International Airport north-south runway on the Minnesota Valley National Wildlife Refuge. Following the completion of this consultation and based on the evaluation of public comments on the EA, the Regional Director (Region 3) of the Fish and Wildlife Service may make a Finding of No Significant Impact (FONSI) determination and adopt the Proposed Action. The Regional Director may also select one of the other alternatives as presented in the EA or select an entirely new alternative that was not developed for the EA. Should an alternative other than the Proposed Action be selected, a new consultation would be required.

VI Determination of Effects:

A. Explanation of impacts of action on listed species/critical habitat

Bald Eagle at Minnesota Valley National Wildlife Refuge

The U.S. Fish and Wildlife Service at Minnesota Valley National Wildlife Refuge has monitored nesting bald eagles on the Refuge since 1995. The annual number of active eagle nests on the Refuge has varied between one and three. Production has usually been one eaglet per nest and occasionally a second eaglet has fledged. One of the three active nests that were used on the Refuge during the 2003 nesting season is identified on the attached maps. Two inactive nests which are also in close proximity to the Proposed Action, have been identified on these maps as well. These nest sites are located in the flood plain in live cottonwood trees located less than one half mile from the Minnesota River.

Bald eagles also use a variety of flood plain forest, wetland and riparian areas on the Refuge for feeding and migratory habitat. Migratory use of the Refuge is mainly in the spring around the time of ice-out. Migration generally occurs between late February and mid-April, with most of the activity concentrated around Refuge flood plain wetlands. During the summer and fall, Refuge staff occasionally see immature and adult bald eagles on Refuge flood plain wetlands.

Impacts of the Proposed Action on Bald Eagles at Minnesota Valley National Wildlife Refuge

Based upon the 2000/2001 habitat mapping effort, there are 10,748 acres of flood plain wetland and forest habitat on the Refuge. It is anticipated that implementation of the Proposed Action would not negatively impact the relative abundance of forest or wetland habitat, the two most commonly used habitats by bald eagles on the Refuge. There may be some temporary disturbance to roosting or feeding eagles on the Refuge as a result of facility development activities. Given the limited acreage proposed for development, other quality habitats would be available for the eagles.

Implementation of the Proposed Action is not likely to adversely affect bald eagle nest sites on the Refuge. The known nest locations are not located within any proposed development units. Given the mature forest habitat that bald eagles have used for nesting on the Refuge, public use facility development is not expected to affect bald eagle nesting activity. The proposed development areas are currently or have previously been occupied by human presence (formerly known as the Lutz and Mittelsted farms) and lack mature forest habitat. Refuge staff would take into account nest locations when developing public use facilities and every effort would be made to minimize potential impacts on bald eagles.

Determination

Response Requested

No effect on species/critical habitat

X Not likely to adversely affect species/critical habitat

X concurrence

Likely to adversely affect species/critical habitat

Likely to jeopardize candidate or proposed species/critical habitat

/s/ Richard D. Schultz
Project Leader Signature

7/15/03
Date

VII Field Office Evaluation

A. Concur x

Do not concur _____

 /s/ R. Nicholas Rowse 7/24/03
Field Supervisor Date