

**Intra-Service Section 7 Biological Evaluation Form**  
**Region 3**

Originating Person: Pam Thiel Date Submitted: 6/8/2005

Telephone Number: 608-783-8431

**I. Service Program and Geographic Area or Station Name:**

Fisheries Program La Crosse Fishery Resource Office

**II. Flexible Funding Program** (e.g. Joint Venture, etc) if applicable:

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

There are no federally listed species in the project area as documented by a memo from Laurie Fairchild on June 6, 2005. We will re-check the area in subsequent years to determine if there are any new bald eagle nests located in the project vicinity.

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

North Dakota--Pembina, Cass, and Richland Counties

Minnesota--Polk, Norman, Wilken, Mahnommen, Marshall, Clay, and Otter Tail Counties

Drayton Dam T159,R50W, sec 18

Christine Dam T136N,R48W, sec 18

Hickson Dam T137N,R48W, sec19

Otter Tail Power Dam T150N,R46W, sec 35

Heiberg Dam T144N,R41W, sec 26, 35

Lake Breckenridge Dam T132N,R47W, sec 11

Argyle Dam T156N,R48Wsec 15

Sandhill River Barriers T147N,R45, sec19, 27; T147N,R46W, sec 24

Marsh Creek Culverts T144N,R43W, sec 21

Stephen Dam T157N,R48W, sec 8

South Branch Buffalo Barriers T139N,R47W, sec 5, 9

Elizabeth Dam T143N, R43W, sec 32

Phelps Mill Dam T134N,R41W, sec 35

**V. Project Description:** Describe proposed project or action or, if referencing other documents (e.g. the Grant Proposal), prepare an executive summary (attach additional pages as needed):

The project is to remove fish barriers at multiple sites on the Red River of the North as outlined in the Environmental Assessment for Fish Passage in the Red River of the North Basin, Minnesota.

**VI. Determination of Effects:**

**(A) Description of Effects:** Describe the effects of the action(s) on the species and critical habitats listed in item III. For each section 7 determination made below, attach an explanation of such determination for all applicable species or critical habitat. Documentation should justify your determination.

**(B) Determination:** Determine the anticipated effects of the proposed project on species and critical habitats listed in item III. Check all applicable boxes and list the species associated with each determination.

**Response requested**

*“No Effect”* This determination is appropriate when the proposed project will not directly or indirectly affect (neither negatively nor beneficially) individuals of listed/proposed/candidate species or designated/proposed critical habitat of such species. List species applicable to this determination (or attach a list):

Concurrence  
(optional)

*“May Affect but Not Likely to Adversely Affect species/critical habitat”* This determination is appropriate when the proposed project is not likely to adversely impact individuals of listed species or designated critical habitat of such species. List species applicable to this determination (or attach a list):

Concurrence

*“May Affect and Likely to Adversely Affect species/critical habitat”*  
This determination is appropriate when the proposed project is likely to adversely impact individuals of listed species or designated critical habitat of such species. List species applicable to this determination (or attach a list):

Formal  
Consultation

*“Not Likely to Jeopardize candidate or proposed species/critical habitat”* This determination is appropriate when the proposed project is not expected to jeopardize the continued existence of a species proposed for listing or a candidate species, or adversely modify an area proposed for designation as critical habitat. List species applicable to this determination (or attach a list):

Concurrence  
Informal Conference  
optional

*“Likely to Jeopardize candidate or proposed species/critical habitat”* This determination is appropriate when the proposed project is reasonably expected to jeopardize the continued existence of a species proposed for listing or a candidate species, or adversely modify an area proposed for designation as critical habitat. List species applicable to this determination (or attach a list):

\_\_\_\_\_ Formal Conference

\_\_\_\_\_  
Signature  
[Supervisor at originating station]

6/8/2005  
Date

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

A. **Concurrence** \_\_\_\_\_                      **Nonconcurrence** \_\_\_\_\_  
Explanation for nonconcurrence:

B. Formal consultation required \_\_\_\_\_  
List species or critical habitat unit

C. Conference required \_\_\_\_\_  
List species or critical habitat unit

\_\_\_\_\_  
Signature            [Reviewing ES Office Supervisor]

Date

Name of Reviewing ES Office