

LOW-EFFECT SCREENING FORM
Enhancement of Survival Permit
Mitchell's Satyr Butterfly Safe Harbor Agreement
U.S. Fish and Wildlife Service
East Lansing Field Office

I. Project Information

- A. Project name:** Mitchell's Satyr Safe Harbor Agreement (SHA)
- B. Affected species:** Mitchell's Satyr (*Neonympha mitchellii mitchellii*)
- C. Project size (in acres):** This agreement could potentially be implemented on approximately 4,800 acres of land in Michigan, and approximately 200 acres of land in Indiana.
- D. Brief project description including conservation elements of the plan:**
Issuance of an Enhancement of Survival Permit. The purpose of the permit and associated Mitchell's Satyr Butterfly Safe Harbor Agreement (SHA) is to encourage non-federal landowners to voluntarily engage in conservation activities to benefit and advance recovery of the endangered Mitchell's satyr butterfly within its historic range in Michigan and Indiana. Based on the SHA, the U.S. Fish and Wildlife Service (Service) will issue a section 10(a)(1)(A) Enhancement of Survival Permit to the Service's East Lansing Field Office Project Leader, who may enroll eligible and willing non-Federal landowners through Certificates of Inclusion. No Federal land will be enrolled under this permit; therefore, no incidental take coverage or Safe Harbor assurances will be conveyed to management activities on Federal land. The single permit approach simplifies the permitting process for private landowners and garners support for species reintroductions.

The primary conservation activity under the SHA will be reintroduction of Mitchell's satyr butterflies on properties of willing landowners. In addition, site-specific Reintroduction Plans will be developed that describe the specific conservation actions and habitat management activities on each of the enrolled properties. Habitat management activities could include: a) prescribed burning; b) mowing or hydro-axing; c) manual removal of vegetation, with follow-up herbicide application; d) biological controls of invasive species; e) livestock grazing in fens where it currently occurs; and f) seeding and planting native plant species. Conservation measures within the SHA will minimize the effects of these management activities on the Mitchell's satyr butterfly.

II. Does the SHA fit the criteria as described in the SHA policy (meet the standard of “net conservation benefit” and contribute to recovery)?

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

Yes. Reintroductions will occur only at sites that do not currently support Mitchell’s satyr butterflies. The source populations for reintroductions will be from sites with healthy, robust populations. Therefore, the SHA will not significantly affect any existing Mitchell’s satyr butterfly populations. Further, new populations of Mitchell’s satyr butterflies may be established through the SHA.

Poweshiek skipperling (*Oarisma poweshiek*), which is Federally listed as endangered, also occupies prairie fens in Michigan; however, sites that currently support Poweshiek skipperling will not be selected for Mitchell’s satyr butterfly reintroductions. No other Federally listed species occur within the prairie fens where Mitchell’s satyr butterflies could be reintroduced; however, some potential reintroduction sites could support eastern massasauga rattlesnake (*Sistrurus catenatus*), which has been proposed for listing as a threatened species. The eastern massasauga is not a covered species in the SHA; however, if a reintroduction site with known massasauga records is selected, then measures will be implemented to minimize the effects of habitat management activities on the eastern massasauga.

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.)?

Yes. Reintroductions of Mitchell’s satyr butterflies will not affect other environmental values or resources. The habitat management activities in the SHA may improve the soils and water quality and quantity at those sites by restoring those prairie fens to a more natural condition. Prescribed fires may be used but will be infrequent and over small areas such that air quality effects to humans are negligible. Effects to socio-economics, cultural resources, recreation and visual resources from this SHA are expected to be negligible because current land uses are expected to occur regardless of approval/implementation of the proposed SHA.

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. Although beneficial effects to population of Mitchell’s satyr butterflies are expected, no land use changes are expected to occur. Significant cumulative effects to the environment are not expected to occur as a result of implementation of the SHA.

III. Do any of the exceptions to categorical exclusions (extraordinary circumstances) listed in 43 CFR 46.215 apply to this Federal action? Would implementation of the SHA:

A. Have significant impacts on public health or safety?

No. The SHA would involve voluntary agreements with non-Federal landowners that would permit implementation of standard habitat restoration techniques by qualified and experienced personnel familiar with the area.

B. 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) or floodplains (Executive Order 11988); national monuments; migratory birds, or other ecologically significant or critical areas?

No. No refuges, wilderness areas, or wild or scenic rivers are within the geographic scope of this SHA. Non-Federal parks may voluntarily participate in this programmatic SHA, but no adverse effects to parks or recreation will occur as a result. The habitat management actions may create more natural conditions in those prairie fens, which are a type of wetland, but no adverse effects to wetlands will occur. Farmland, floodplains, or ecologically significant or critical areas will not be affected by the activities in the SHA.

C. Have highly controversial environmental effects (defined at 43 CFR 46.30), or involve unresolved conflicts concerning alternative uses of available resources? [see NEPA section 102(2)(E)]

No. Reintroducing Mitchell's satyr butterflies to sites within its historic range will not have any adverse environmental effects. The habitat management techniques that would be employed as part of the SHA should have a positive environmental effect by restoring and improving habitat.

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

No. Reintroducing Mitchell's satyr butterflies to sites within its historic range will not have any environmental effects. The habitat management techniques that would be employed as part of the SHA for Mitchell's satyr butterflies and their habitat have been used successfully for many years by the Service, states, and conservation organizations.

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

No. Similar agreements have been drafted under the Service's SHA policy. Reintroduction and habitat management for Mitchell's satyr butterflies would have minor or negligible environmental effects and would not represent a decision in principle about future actions with potentially significant environmental effects.

F. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?

No. Approval and implementation of the SHA are not directly related to other actions that could have significant cumulative environmental effects.

G. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places?

No. As reintroduction sites are identified, the Service's Regional Historic Preservation Officer will be consulted regarding potential cultural or historic resources at these sites.

H. 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?

No. The SHA will establish new populations of Mitchell's satyr butterflies, and the conservation measures within the SHA will minimize the effects of habitat management, resulting in a net conservation benefit for the Mitchell's satyr butterfly. Conservation measures for the eastern massasauga rattlesnake, which is proposed for listing as a threatened species, may be implemented at reintroduction sites that support this species. No other Federally listed species will be affected by the proposed action. Critical habitat has not been designated for the Mitchell's satyr butterfly.

I. Violate a Federal law, or a State, local, or tribal law, or a requirement imposed for the protection of the environment.

No. Approval and implementation of the SHA will be accordance with all applicable laws and regulations.

J. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

No. The Services proposed action has no potential to adversely affect low income or minority populations.

K. 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).

No sacred sites are known to exist on any of the property identified in the SHA. Furthermore, reintroductions and associated conservation activities will only occur on non-Federal land.

L. 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).

No. Precautions will be taken to ensure that noxious weeds or non-native species do not adversely impact the habitat in the areas identified for Mitchell's satyr butterfly reintroductions.