

June 17, 2020

McClure Engineering
1740 Lininger Lane
North Liberty, IA 52317

Threatened & Endangered Species Review: Manufacturing Drive, Clinton IA

Dear Mr. Karnik,

Impact7G was contracted by McClure Engineering to complete a threatened and endangered species review for a proposed project corridor along Manufacturing Drive and associated roadways in Clinton, Iowa. The intent of this review is to compile a list of species of state or federal protected status and any known occurrence of protected species or habitat within the defined project area.

The purpose of preparing the following documentation is to provide data to assist the owner with project planning and to assist in the determination of need for additional analysis, surveys, and/or a biological assessment (BA).

Location:

Street Address: Manufacturing Drive

Township:	81 N	81 N	81 N
Range:	6 E	6 E	6 E
Section:	11	14	15
Quarter:	SW ¼, SE ¼	NW ¼	NE ¼, SE ¼

Methods:

A field evaluation was conducted on May 18, 2020 whereby all areas within the project boundary (see attached Figure A, Project Area) were walked and photographed to identify areas of elevated diversity, remnant, or other habitat indicators.

Endangered Species Act Compliance

Federal agencies are required to "request of the Secretary of Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action" (Section 7 of the Endangered Species Act). An official species list is an official letter from the local U.S. Fish and Wildlife Service office containing information to assist you in evaluating the potential impacts of your project. It includes a list of species and critical habitat that should be considered under Section 7 of the Endangered Species Act, as well as a project tracking number and other pertinent information from the local field office. Impact7G accessed the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) website on May 20, 2020 to obtain an official species list, provided below (Attachment A).

Endangered Plants and Wildlife, Iowa Administrative Code 571, Chapter 77 Compliance

A Request for Environmental Review was submitted to the Iowa Department of Natural Resources on May 14, 2020 and has been logged under Tracking Number: 2020-0256.

Federal Results & Recommendations:

An official IPAC species list was obtained for the project area; 6 federally listed endangered, threatened, candidate, proposed or otherwise protected species are known to occur in Clinton, County. Based on observed habitat and conditions within the proposed action area, appropriate habitat is not present for the listed species.

No further action is recommended for federal-listed threatened or endangered species.

State of Iowa Results & Recommendations:

The Iowa DNR issued a response to our Request for Environmental Review on 5/18/2020 with a finding of “no site-specific records that would be impacted by this project”. The response is documented below (Attachment B).

No further action is recommended for state-listed threatened or endangered species.

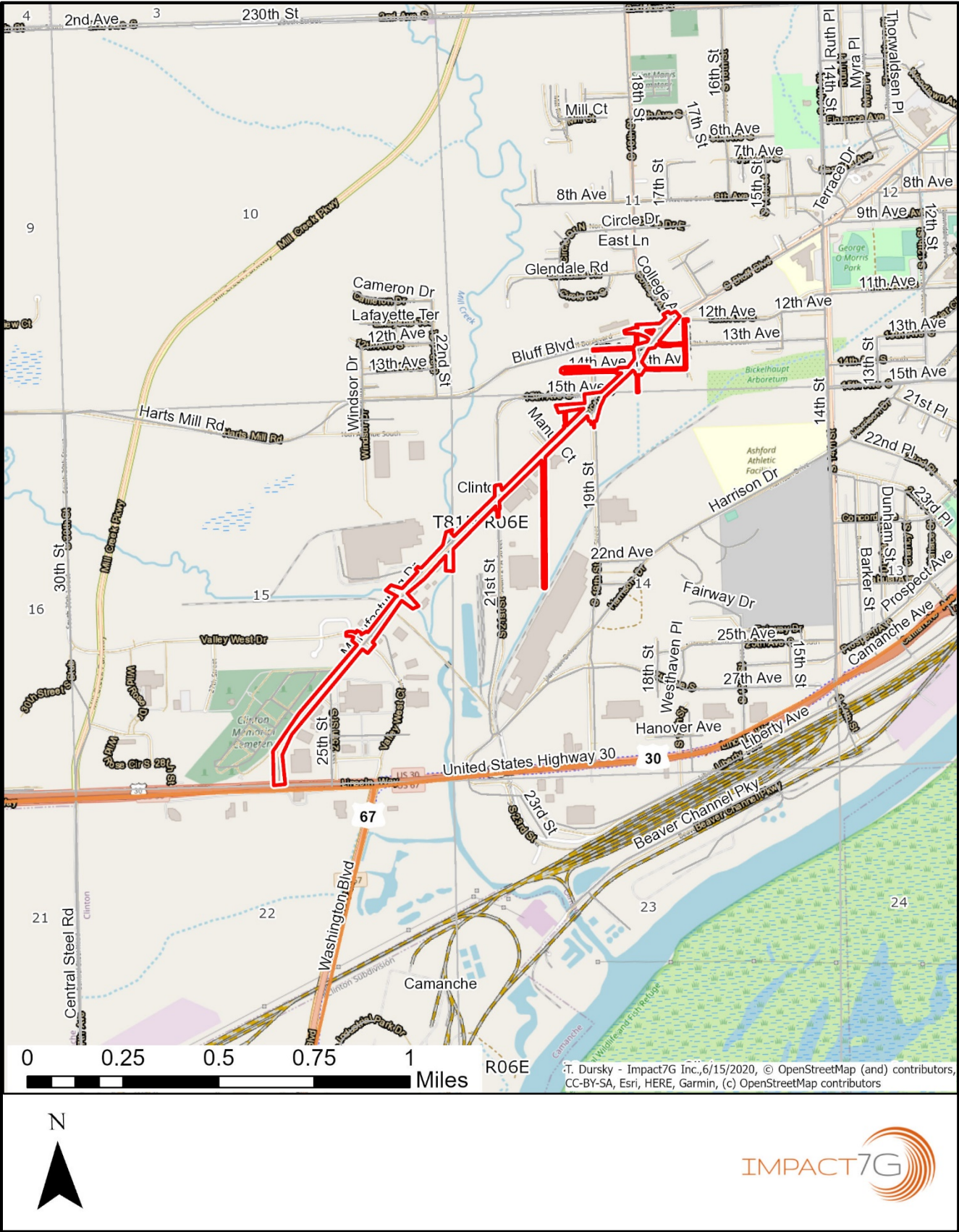


6/17/2020

Prepared by: Tyler Dursky, Environmental Specialist

Date

FIGURE A: PROJECT AREA



ATTACHMENT A: USFWS IPAC OFFICIAL SPECIES LIST



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Illinois-Iowa Ecological Services Field Office
Illinois & Iowa Ecological Services Field Office
1511 47th Ave
Moline, IL 61265-7022
Phone: (309) 757-5800 Fax: (309) 757-5807

In Reply Refer To:

May 20, 2020

Consultation Code: 03E18000-2020-SLI-1696

Event Code: 03E18000-2020-E-04032

Project Name: McClure-004

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The attached species list identifies any federally threatened, endangered, proposed and candidate species that may occur within the boundary of your proposed project or may be affected by your proposed project. The list also includes designated critical habitat if present within your proposed project area or affected by your project. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation.

Section 7 of the Endangered Species Act of 1973 requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representative) must consult with the Service if they determine their project "may affect" listed species or critical habitat.

Under 50 CFR 402.12(e) (the regulations that implement Section 7 of the Endangered Species Act) the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally. You may verify the list by visiting the ECOS-IPaC website <http://ecos.fws.gov/ipac/> at regular intervals during project planning and implementation and completing the same process you used to receive the attached list. As an alternative, you may contact this Ecological Services Field Office for updates.

Please use the species list provided and visit the U.S. Fish and Wildlife Service's Region 3 Section 7 Technical Assistance website at - <http://www.fws.gov/midwest/endangered/section7/s7process/index.html>. This website contains step-by-step instructions which will help you

determine if your project will have an adverse effect on listed species and will help lead you through the Section 7 process.

For all wind energy projects, please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within your proposed project or may be affected by your proposed project.

Although no longer protected under the Endangered Species Act, be aware that bald eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.) and Migratory Bird Treaty Act (16 U.S.C. 703 et seq), as are golden eagles. Projects affecting these species may require measures to avoid harming eagles or may require a permit. If your project is near an eagle nest or winter roost area, see our Eagle Permits website at <http://www.fws.gov/midwest/midwestbird/EaglePermits/index.html> to help you determine if you can avoid impacting eagles or if a permit may be necessary.

We appreciate your concern for threatened and endangered species. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Wetlands
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Illinois-Iowa Ecological Services Field Office

Illinois & Iowa Ecological Services Field Office

1511 47th Ave

Moline, IL 61265-7022

(309) 757-5800

Project Summary

Consultation Code: 03E18000-2020-SLI-1696

Event Code: 03E18000-2020-E-04032

Project Name: McClure-004

Project Type: TRANSPORTATION

Project Description: The project includes a 6.18-mile distance and 33.43 acre area with an approximately 40-foot width of roadside right-of-way and utility corridor within Sections 11, 14, and 15 of Township 81N, and Range 06E. The project involves proposed roadway corridor improvements along Manufacturing Drive and other associated roadways in Clinton, Iowa. Current land-use within the project area consists of roadside right-of-way, utilities infrastructure, and surrounding commercial and residential developments.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/41.82428478128796N90.2383823002302W>



Counties: Clinton, IA

Endangered Species Act Species

There is a total of 6 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Reptiles

NAME	STATUS
Eastern Massasauga (=rattlesnake) <i>Sistrurus catenatus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2202	Threatened

Clams

NAME	STATUS
Higgins Eye (pearlymussel) <i>Lampsilis higginsii</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5428	Endangered

Snails

NAME	STATUS
Iowa Pleistocene Snail <i>Discus macclintocki</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/534	Endangered

Flowering Plants

NAME	STATUS
Prairie Bush-clover <i>Lespedeza leptostachya</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4458	Threatened
Western Prairie Fringed Orchid <i>Platanthera praeclara</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1669	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER FORESTED/SHRUB WETLAND

- [PFO1A](#)

RIVERINE

- [R2UBG](#)
-

ATTACHMENT B: IDNR ENVIRONMENTAL REVIEW

From: seth.moore@dnr.iowa.gov <seth.moore@dnr.iowa.gov>

Sent: Monday, May 18, 2020 11:30 AM

To: Reid Stamer <rstamer@impact7g.com>

Subject: 2020-0256 Environmental Review Request

Thank you for inviting Department comment on the impact of this project. The Department has searched for records of rare species and significant natural communities in the project area and found no site-specific records that would be impacted by this project. However, these records and data are not the result of thorough field surveys. If listed species or rare communities are found during the planning or construction phases, additional studies and/or mitigation may be required.

This letter is a record of review for protected species, rare natural communities, state lands and waters in the project area, including review by personnel representing state parks, preserves, recreation areas, fisheries and wildlife but does not include comment from the Environmental Services Division of this Department. This letter does not constitute a permit. Other permits may be required from the Department or other state or federal agencies before work begins on this project.

If you have questions about this letter or require further information, please contact me at (515) 725-8464.

Environmental Review requests can be submitted electronically to: SLER@dnr.iowa.gov.

Sincerely,



Seth Moore | Environmental Specialist

Iowa Department of Natural Resources

P 515-725-8464 | F 515-725-8202 | 502 E. 9th St., Des Moines, IA 50319

www.iowadnr.gov