



MEMORANDUM

TO: Project Managers
FROM: Rob Billerbeck, Resource Stewardship
SUBJECT: **Project Information Form for Environmental Signoff or Pre-approval**
DATE: 7/21/04

I've been asked to sign off on development projects for Threatened and Endangered (T & E) Species compliance, so I'm providing a checklist of information in order to do that. My responsibility is to ensure that we have proper documentation and approvals to comply with the Endangered Species Act (ESA), the state endangered species statute, and the National Environmental Policy Act (NEPA). I won't be responsible for looking at wetland permits or SHIPO approval but I'll recommend if I have any info on those. The best idea is to send this information in the early planning stages of a project for pre-approval and agree on a strategy for meeting compliance over the timeline of the project, rather than trying to do get approval at the end.

Notes on Environmental Compliance:

1. I'll try to provide information up-front for planning purposes, I have information for each park including: all possible listed species at this park, what our current understanding is of their potential habitat there, and what types of projects or what areas of the park are most likely to affect these species. I also am compiling lists of any known surveys or clearances for these species, and special dates to avoid projects and survey dates if a clearance is required.
2. For projects that will not involve construction or are mainly repair or maintenance, USFWS approval may not be necessary and I can help you figure that out. The USFWS is willing to do a cursory review of projects that should not require any consultation.
3. If the project is on federal land or federally funded, then you will want to verify that this action falls under a categorical exclusion for the agency involved because federal lands or federal project require a NEPA process. If it does not, then state parks may need to pay for an EA or EIS or at least an amendment and these require fairly long timelines.
4. State funded projects on state lands do not require a NEPA process (a CE, EA or EIS), but are still subject to the Endangered Species act and the state Endangered Species laws. They say that the project cannot result in a "takings" of a species. A takings is basically the destruction of an individual of this species or destruction of its habitat or even harassment of an individual. So if we can't demonstrate clearly that the project won't result in a takings, then we will need to consult with USFWS.
5. Major construction projects, or projects on parks that definitely have endangered species habitat, (like Preble's) will almost always require some level of consultation with USFWS and a letter of concurrence or a letter of 'no takings' from USFWS. Information necessary to get this approval may involve doing clearance surveys that must be performed in accordance with USFWS protocols and at certain times of the year only, so be sure to plan on that in the project timeline. Once the necessary information is obtained and sent to USFWS, they should concur within 30 days if it's a federal project. For state projects, they are not bound to respond within 30 days, but if this becomes a problem, then they are willing to enter into a Memorandum of Understanding.
6. If a project may negatively affect a listed species or result in a 'takings' of the species or its habitat, then it will likely require a long time (multiyear) to work through the approvals process. If there is no federal agency involved in the project (by funding or land ownership), then we may be required to write a Habitat Conservation Plan (HCP) which can take anywhere from a minimum of 18 months to several years to get approved. If a federal agency is involved, then the federal agency will act as the broker with USFWS, and they would help us apply for an incidental take permit if necessary, but it will still have a long timeline because the federal agency will likely have to do an environmental assessment (EA) or an Environmental Impact Statement (EIS). Often it may be easier to modify the project to avoid the takings situation, particularly if an HCP is being suggested.



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Project Information for Environmental Signoff or Pre-approval

Project Manager Name	
Park Name	
Project Description	Brief Description, (attach more detailed also if necessary)

Project Type

- Major construction
- Repair / maintenance or minor construction
- Survey or planning contract (no construction)
- Other

Major Due-Dates (write in expected / actual dates)

<input type="checkbox"/> <u>Pre-approval</u> by (or N/A)	
Date of completed biological assessments, consultant letters or clearance surveys (or N/A)	
Date of USFWS concurrence (or N/A) – takes 30-90 days	
<input type="checkbox"/> <u>Approval</u> / Signature by	
Project Start Date	

Project Location

(Describe sub part of park
and/or attach a map)

Land Ownership of Project Area

- All non-federal, List owner(s)
- All or part Federal, List owner(s)

Project Funding

- All non-federal funds
- All or part federal -- list fed agencies

Project Approvals



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Approval from landowner (if more than one, list in box)

- In writing (attach)
- Verbal, but documented memo (attach)
- Verbal, undocumented

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Approval from federal funding agency, if applies

- In writing (attach)
- Verbal, but documented memo (attach)
- Verbal, undocumented

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Does approval include any of these:

- Explicit statement about threatened and endangered species clearance
- Explicit statement about NEPA process (i.e. does it list a categorical exclusion)

Division of Wildlife contacted about project (if applies – major project or potential impact on state T & E):

- Comments received and project approved
- Comments received and project changes suggested or concerns expressed
- No response

Permits - List any permits for this project - planned or obtained with dates

- Wetlands (404)
- SHIPO (historic)
- Other

T & E Assessments, Surveys or Letters – List any completed and attach copies

Date	Survey, Assessment, Report or Letter

Preble's mouse habitat, if applicable

- Project is outside the 100 year flood plain + 300 feet
- Project is within the 100 year floodplain + 300 feet, but no disturbance of riparian or wetland vegetation
- Project is within the 100 year floodplain + 300 feet

Total disturbed acres with 100 year floodplain + 300 feet

Acres of riparian or wetland vegetation disturbed

Please attach a map and any relevant documents, and of course the actual signoff form if not pre-approval.