



Environmental Review Report

Project Information

Report Generation Date: 1/31/2022 11:30:30 AM
Project ID: 2022-01-31-274
Project Title: Bollweg Trial 1
User Project Number(s):
Project Type: NRCS Projects/Practices
Project Activities: None Selected
County(s): Hughes
Township/Range/Section(s): 111N074W10; 111N074W11; 111N074W16; 111N074W2; 111N074W21;
111N074W3; 111N074W4; 111N074W9; 112N074W33
Watershed(s) HUC8: None
Latitude/Longitude: 44.443553 / -99.734661

Contact Information

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Submitted On Behalf Of:

Project Description

This is a test, no follow-up required



Introduction

The vision of South Dakota Department of Game, Fish and Parks (SDGFP) is to conserve our state's outdoor heritage to enhance the quality of life for current and future generations. SDGFP has a state-wide mission to manage wildlife and the habitats upon which they depend for their ecological values and enjoyment by the citizens of South Dakota and visiting publics. SDGFP strives to prevent or minimize unnecessary damage to species and their habitats by offering possible mitigation measures or alternative project actions.

Disclaimer

The information provided in this report can only be used as a site clearance letter if no conflicts with sensitive wildlife resources were detected. This information provides an indication of whether or not public or protected lands and sensitive resources are known or likely to be located near the proposed project's location. The information generated in this report does not replace Endangered Species Act consultation obligations with the U.S. Fish and Wildlife Service (USFWS) for federal listed species.

A majority of the sensitive species records in the report originate from the South Dakota Natural Heritage Database (SDNHD). The SDNHD tracks species at risk and certain unique habitats. These species may be monitored because they are rare, indicative of a vulnerable habitat type, or are legally designated as state or federal threatened or endangered species. Rare species are those that are declining and restricted to limited habitat, peripheral to a jurisdiction, isolated or disjunct due to geographic or climatic factors or classified as such due to lack of survey data. A list of monitored species can be found at <https://gfp.sd.gov/natural-heritage-program/>. Many places in South Dakota have not been surveyed for rare or protected species and habitats and the absence of a species from a proposed project area does not preclude its presence. **Accuracy of species lists, report information and project recommendations should be verified after 90 days.**

This project was flagged for further review by South Dakota Game, Fish and Parks. This report is considered a draft for informational purposes only, and is not to be used for environmental clearances. Staff from South Dakota Game, Fish and Parks will contact you within 30 days to follow up.

Project Type Recommendations

No recommendations have been identified for this project type.



Project Location Recommendations

A federally endangered species was documented within or near the proposed project area.

A state endangered species was documented within or near the proposed project area.

Legal Obligations

South Dakota Endangered and Threatened Species Law

This state law (Chapter 34A-8) defines nongame, threatened and endangered species and wildlife and describes the relevant authorities of the Game, Fish and Parks Secretary and Commission. The SDGFP Commission may list, delist or change the status of state threatened or endangered species. The Secretary shall conduct investigations to address information needs on population, distribution, habitat needs, limiting factors and other data gaps to ensure these species are managed in perpetuity. Take of state threatened or endangered species is prohibited except for certain, authorized purposes or to protect life or property. This state law also prohibits the reintroduction of a species on the federal list of threatened or endangered species that is considered extirpated from the state, unless authorized by the South Dakota Legislature. More information about obtaining a state endangered take authorization is available here:

<https://gfp.sd.gov/forms/endangeredspecies/>

Aquatic Invasive Species

South Dakota Administrative Rule 41:10:04:02 forbids the possession and transport of aquatic invasive species (AIS). Any construction vehicles, vessels, or equipment that will come into contact with surface waters in South Dakota that have previously been used outside of the state or in and AIS positive water within South Dakota must be thoroughly power washed with hot water (>140°F) and completely dried for a minimum of 7 days prior to use. All attached dirt, mud debris and vegetation must be removed and all compartments and tanks capable of holding standing water shall be drained and dry. This applies, but is not limited to, all equipment, pumps, lines, hoses and holding tanks. The list of AIS positive waters is available

at http://sdleastwanted.com/maps/default.aspx_or by calling 605-223-7706.

Federal Laws

The following federal laws contribute to the conservation and management of fish and wildlife resources in the United States: Endangered Species Act, Bald and Golden Eagle Protection Act, Migratory Bird Treaty Act, Clean Water Act, and the Fish and Wildlife Coordination Act. The National Environmental Policy Act (NEPA) requires compliance with these statutes and



regulations.

Contact Information

U.S. Fish and Wildlife Service, Ecological Services Field Office 420 S. Garfield Ave, Suite 400
Pierre, South Dakota 57501 605-224-8693

U.S. Army Corp of Engineers, South Dakota Regulatory Office 28563 Powerhouse Road
Pierre, South Dakota 57501 605-224-8531

Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act (16 U.S.C. 668–668d) provides for the protection of the bald eagle (*Haliaeetus leucocephalus*) and golden eagle (*Aquila chrysaetos*). Under this federal act, “take of eagles, their parts, nests or eggs is prohibited unless a permit is issued for certain purposes and under certain circumstances as long as the authorized take is compatible with the preservation of eagles. Disturbance resulting in injury, decreased productivity, or nest abandonment by substantially interfering with normal breeding, feeding or sheltering behavior is also considered take. This report does not replace consultation with the USFWS regarding the protection of bald and golden eagles. Eagle nests are protected under this law, whether active or inactive.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (16 U.S. C. 703-712) provides international protection to migratory bird species included in treaties among the United States, Great Britain, Mexico and Japan. This federal act prohibits the taking, killing, possession and transportation (among other actions) of migratory birds, their eggs, parts, and nests, unless specifically permitted by regulations. This act has no provisions for allowing unauthorized take. Effective steps can be taken to avoid take of migratory birds. Work closely with the USFWS to identify protective measures to avoid migratory bird take. A list of migratory bird species protected under this act can be found at 50 CFR 10.13. Introduced bird species are not protected under this Act. This report does not replace consultation with the USFWS regarding the protection of migratory bird species.

Endangered Species Act

The Endangered Species Act (16 U.S.C. 1531–1544) provides protections for native plant and animal species that are in danger of becoming extinct. Under Section 9, it is unlawful for the “take” of a listed species. This is defined as “... to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct”. However, a permit may be issued for take that is the result of an otherwise legal activity. Please contact the USFWS to determine if a permit is needed.

The USFWS is in charge of the protection of listed species and their critical habitat. Similarly, other federal agencies are also directed to conserve listed species and ensure their actions do not jeopardize a listed species existence or destroy or adversely modify critical habitat. As such, under Section 7, federal agencies should consult with the USFWS to ensure compliance with this Act.



This report does not replace consultation with the USFWS regarding listed species.

Clean Water Act

The intent of the Clean Water Act (33 U.S.C. 1251 et seq.) is “to restore and maintain the chemical, physical, and biological integrity of the Nation’s waters”. SDGFP has concerns for any impacts to wetlands, streams and riparian habitats from development. We recommend that proper planning take place to first and foremost avoid impacts to wetlands, streams, and associated riparian corridors. If dredge or fill materials will be placed into waterways or wetlands, the U.S. Army Corps of Engineers Regulatory Office should be contacted to determine if a 404 permit is needed.

Fish and Wildlife Coordination Act

The Fish and Wildlife Coordination Act (15 U.S.C. 661-667e) provides habitat protection by requiring a federal agency to consult with the USFWS and SDGFP (i.e. the state fish and wildlife agency) whenever an agency is proposing to control or modify a stream or other body of water. The intent of this consultation is to conserve wildlife resources by preventing habitat loss or damage. If control or modification of a water body is proposed, please begin consultation with the USFWS and SDGFP.

Table 1. Special Status Species Documented within 800 Meters of Project Vicinity

Scientific Name	Common Name	Taxonomic Group	Federal Status*	State Status*	Global Rank*	State Rank*	SGCN
Grus americana	Whooping Crane	Vertebrate Animal	FE	SE	G1	SNA	Yes

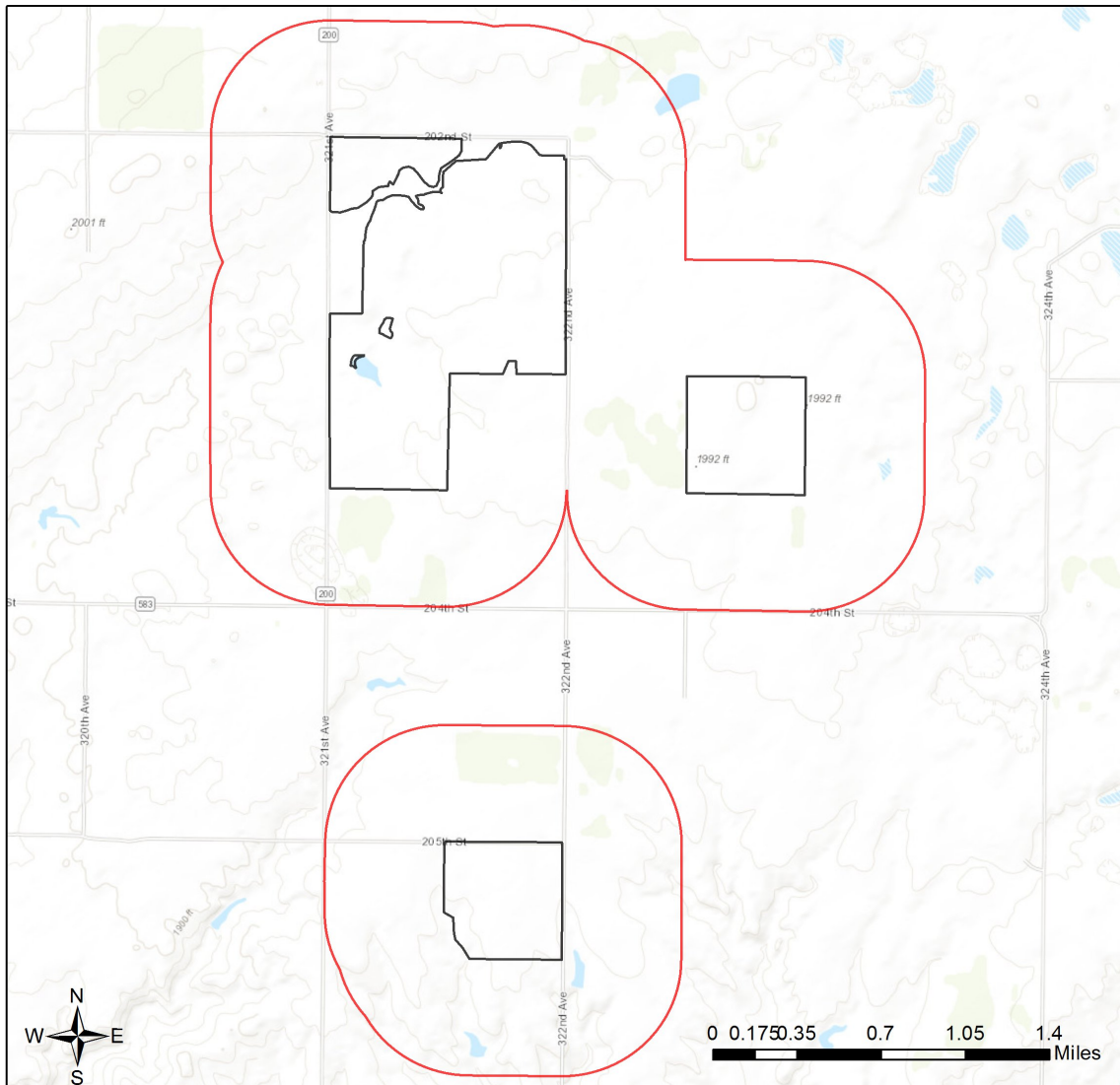
SGCN = Species of Greatest Conservation Need, FE = Federally Endangered, FT = Federally Threatened, SE = State Endangered, ST = State Threatened. For definitions of State and Global rank status, please see: <https://gfp.sd.gov/rare-animals/> or <https://gfp.sd.gov/rare-plants/>.

No Protected Lands were detected within the project vicinity.



Bollweg Trial 1

Topo Basemap with Land Ownership, Tribal Lands, and Locator Map



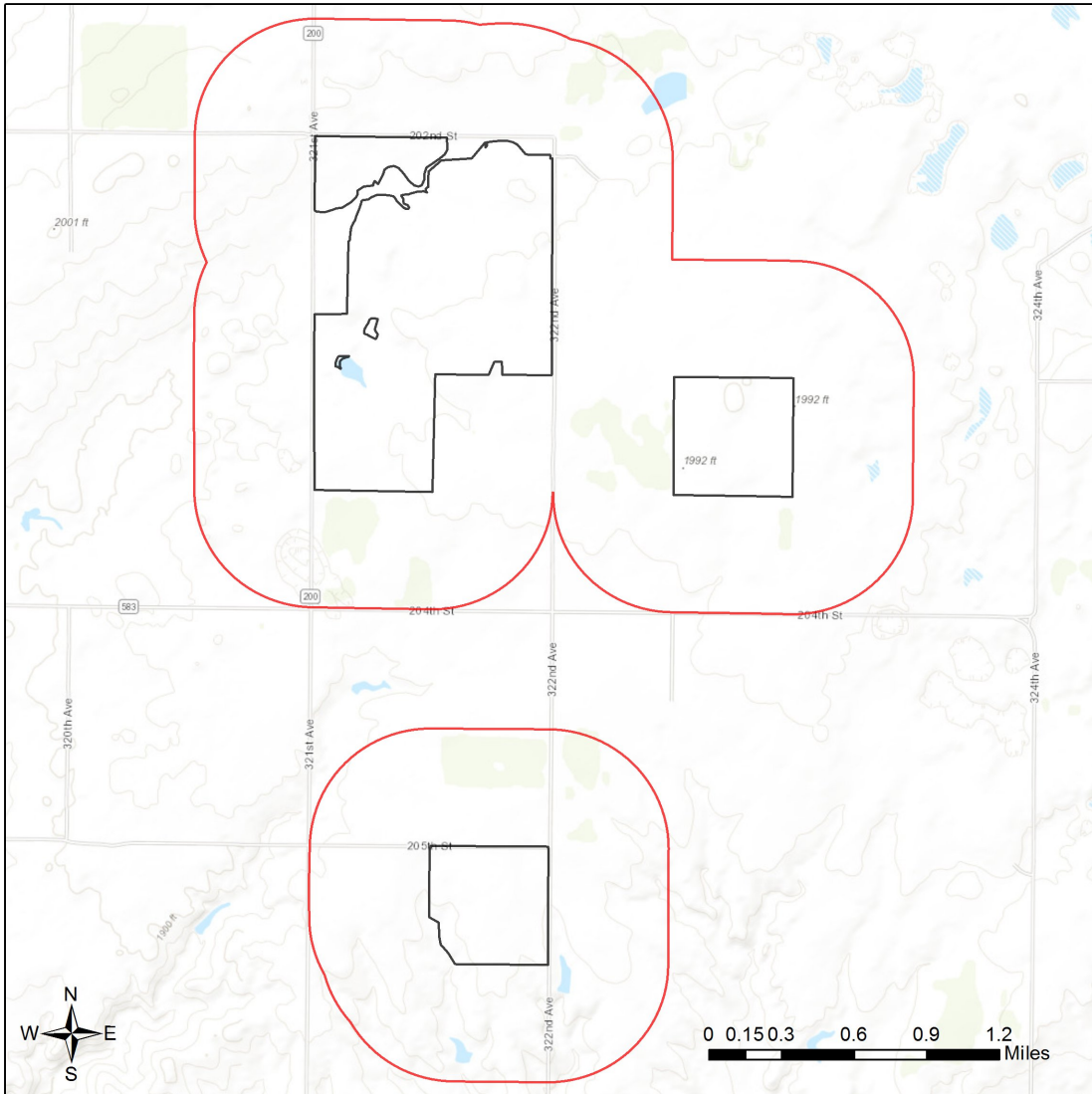
- | | |
|------------------------------|---------------------------|
| Project Boundary | National Grassland |
| Buffered Project Boundary | Bureau of Land Management |
| Game Production Areas | Bureau of Reclamation |
| SD Parks and Rec Areas | Corps of Engineers |
| School and Public Lands | National Fish Hatchery |
| The Nature Conservancy Lands | National Park Service |
| Federal Lands | USFWS Wildlife Refuge |
| National Forest | Waterfowl Production Area |





Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



Bollweg Trial 1
Web Map As Submitted By User



-  Project Boundary
-  Buffered Project Boundary

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