1.0 Biological Resources

1.1 Introduction

This Technical Memorandum describes the biological resources in the Proposed Action's Region of Influence (ROI) and potential impacts on these resources from the Proposed Action (i.e., Preferred Alternative) and No Action Alternative. Measures to reduce potential adverse effects on biological resources from the Proposed Action are also identified. Biological resources include plants, animals, and habitats/vegetation communities. Special status species and natural resources that receive protection under federal and state laws and regulations are also addressed.

Treasury received comments related to biological resources from stakeholders during the public scoping period. Scoping comments expressed concern over the potential biological impacts of the Proposed Action, such as from habitat loss and degradation; removal or disturbance of resident wildlife; and impacts to wildlife from noise and light. Some comments reflected public concern over potential impacts from wastewater discharge and surface runoff from the Proposed Action, particularly downstream effects on Beaverdam Creek. The reader is referred to the ***Utilities Technical Memorandum*** and the ***Water Resources Technical Memorandum*** for information on wastewater disposal and stormwater runoff, respectively. In short, minimal impacts to biological resources from such activities would be anticipated.

Please refer to Treasury's Public Scoping Report for further details on the comments received during the scoping period. Concerns expressed during public scoping regarding biological resources are considered and addressed in this analysis.

1.2 Affected Environment

1.2.1 Region of Influence

The ROI for biological resources includes the Project Site and areas within a 1,500-foot radius of the Project Site, an approximately 809.7-acre area (see **Figure 1**). The ROI includes areas where biological resources could reasonably be affected by the Proposed Action. Beyond 1,500 feet from the Project Site, potential impacts on biological resources would not be anticipated, and proposed noise and light would attenuate to ambient levels (see the ***Noise Technical Memorandum*** and the ***Visual Resources Technical Memorandum***, respectively).

1.2.2 Applicable Guidance

Table 1 identifies federal and state guidance and regulations relevant to this analysis. Treasury would comply with these guidelines and requirements under the Proposed Action.

1.2.3 Existing Conditions

1.2.3.1 Vegetation

Vegetation communities within the ROI are quantified in **Table 2** and shown on **Figure 1**.

Vegetation on the Project Site is similar to the rest of the ROI, including forested areas, open meadows with mature trees, agricultural areas, and developed areas. Please see **Figure 1** and **Table 2** for more information on each existing vegetation community.

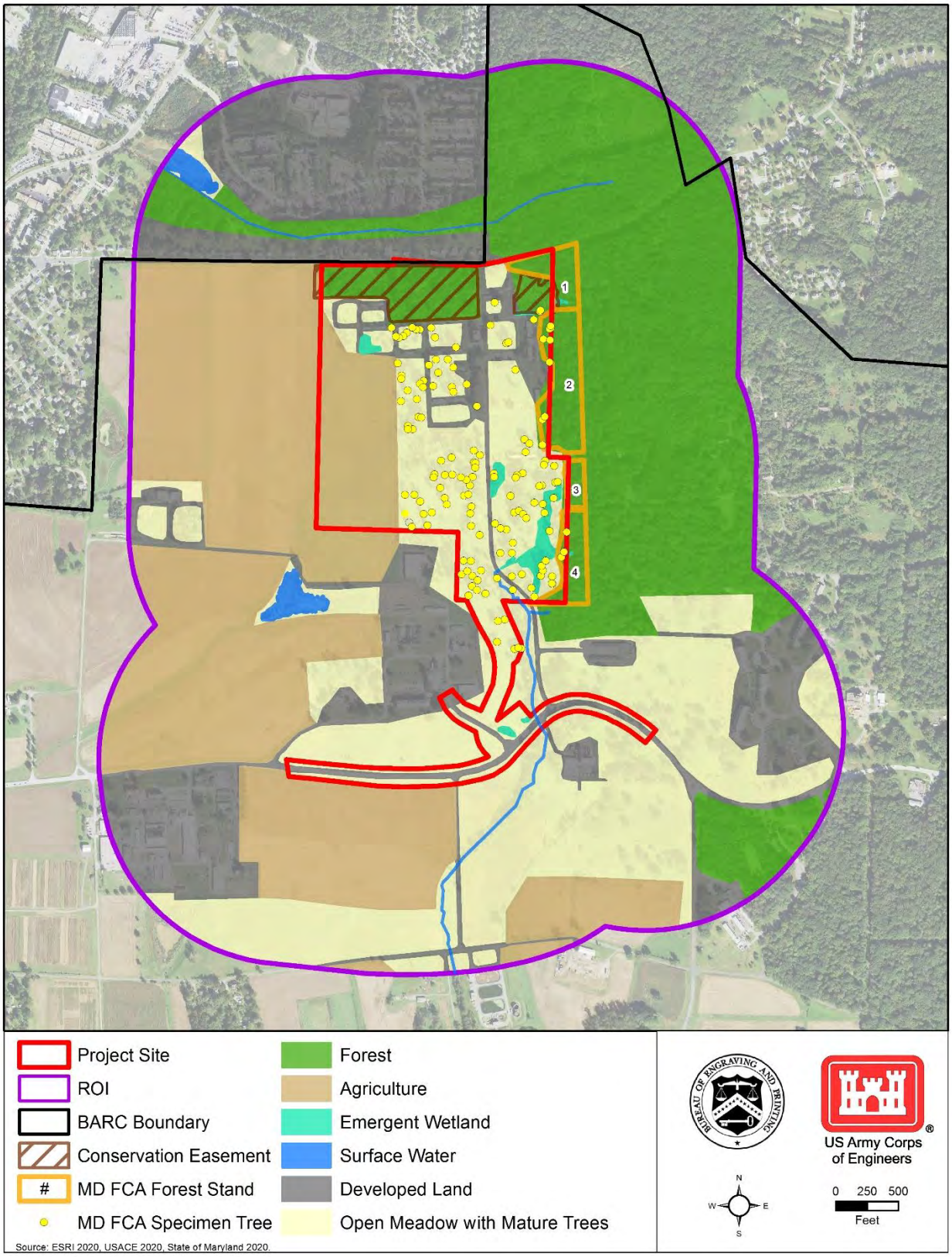

Figure 1: Existing Features in the Biological Resources ROI

Table 1: Biological Resource Applicable Guidance and Regulations

Guidance/Regulation	Description/Applicability to Proposed Action
Endangered Species Act (ESA) of 1973 (16 United States Code [USC] 1531 *et seq.*)	Protects federal-listed threatened and endangered plant and animal species and their habitats; prohibits jeopardizing the recovery of listed species or adversely modifying critical habitat essential to their survival.
Bald and Golden Eagle Protection Act (BGEPA) of 1940 (16 USC 668)	Prohibits the take, possession, or transport of bald eagles (*Haliaeetus leucocephalus*) and golden eagles (*Aquila chrysaetos*) or their nests and eggs without prior authorization via permit.
Northern Long-Eared Bat (NLEB) Final 4(d) Rule (adopted at 50 Code of Federal Regulations [CFR] 17.40[o])	United States (US) Fish and Wildlife Service (USFWS) promulgated rule that identifies ESA protections for the NLEB (*Myotis septentrionalis*). Termed the 4(d) rule, it also addresses protections relative to NLEB hibernaculum or maternity roost trees, as analyzed in the NLEB Programmatic Biological Opinion (USFWS, 2016).
Migratory Bird Treaty Act (MBTA) of 1918 (16 USC 703 *et seq.*)	Prohibits taking, killing, possessing, transporting, and importing migratory birds, their eggs, parts, and nests, except as authorized under a valid permit or as otherwise deemed incidental to lawful activities in accordance with United States Department of the Interior Memorandum 37050 (USDOI, 2017).
Executive Order (EO) 13186, *Responsibilities of Federal Agencies to Protect Migratory Birds* (2001)	Mandates the conservation of migratory birds by federal agencies and their consideration in the National Environmental Policy Act (NEPA) process.
EO 13751, *Safeguarding the Nation from the Impacts of Invasive Species* (2016)	Amends EO 13112, *Invasive Species* (1999), and directs federal efforts to prevent and control invasive plant and animal species.
Maryland Nongame and Endangered Species Conservation Act (1975)	Governs the legal listing of threatened and endangered species within the state of Maryland.
Maryland Forest Conservation Act (FCA) (1991)	Requires developers to identify and prioritize existing on-site forest resources during planning and design of projects greater than or equal to 40,000 square feet. This data is then used to conserve and mitigate forests during development in accordance with required minimum thresholds.
The Comprehensive Plan for the National Capital, Federal Elements (NCPC, 2016a)	Establishes goals and policies that guide federal development and provide a decision-making framework for future federal initiatives in the National Capital Region (NCR), which encompasses Prince George's County. Further, the Environment Element establishes policies related to tree canopy and vegetation as well as wildlife (NCPC, 2016b).

Two areas, totaling 12.6 acres, along the northern boundary of the Project Site are under an existing forest conservation easement[1]. Wetlands are also present in portions of the Project Site. The Waters of the United States Delineation Report provides more information about wetland vegetation.

In accordance with the Maryland FCA (see **Table 1**), Treasury conducted a Forest Stand Delineation (FSD) and survey of specimen trees (e.g., trees 30 inches or greater in diameter at breast height) within the Project Site. The FSD identified 149 specimen trees within the Project Site, of which 10 are within forest stands and 139 are scattered throughout the central and southern portions of the Project Site (see **Figure 1**).

[1] A conservation easement is a legally binding agreement in which the landowner foregoes the right to develop the land while retaining full ownership (CBF, 2004). Conservation easements on the Project Site were established as a mitigation measure for the Intercounty Connector Project (Maryland Route 200) in 2014 (BEP, 2019).

Table 2: Vegetation Communities within the ROI

Vegetation Community / Land Cover	Dominant Vegetation	Acres in Project Site	Acres in ROI	Percent of ROI
Forest	Oak (*Quercus spp.*), Red Maple (*Acer rubrum*), Sweetgum (*Liquidambar styraciflua*)	17.2	206.7	25.5
Agriculture	Rotation of Corn (*Zea mays*), Soybean (*Glycine max*), and cover crops	21.1	208.8	25.8
Open meadow w/ mature trees	Oaks and grasses	63.6	215.8	26.7
Emergent wetlands	Soft rush (*Juncus effusus*) and reed canary grass (*Phalaris arundinacea*)	2.9	3.0	0.4
Surface water (e.g., ponds, streams)	Not Applicable	0.0	4.2	0.5
Developed land	Not Applicable; some grassy areas and landscape trees/shrubs present	17.4	171.3	21.2
Total	**Not Applicable**	**122.2**	**809.7**	**100**

Note: Errors in math due to rounding.

Treasury assigned these forest stands a priority ranking based on the presence of wetlands, specimen trees, streams, steep slopes, and invasive species; cover type; successional stage; and wildlife value. Priority 1 stands are more valuable than priority 2 stands because they exhibit more favorable features (e.g., wetlands and streams, low occurrence of invasive species, specimen trees). Treasury designated Forest Stands 1, 2, and 4 as priority 1, and Forest Stand 3 as priority 2. A list of plant species identified in the forest stands is available in the FSD (USACE, 2020). The Maryland Department of Natural Resources (MDNR) approved Treasury's FSD via letter dated March 22, 2021 (see **Appendix A**).

The Project Site also contains forest edge habitat; this ecotone is characterized by the transition of a large forested area to the east of the Project Site to open meadows with mature trees and scattered wetlands on the Project Site. Edge habitats, such as the one present on the Project Site, often support greater biodiversity than homogenous habitats due to their greater variation. The generally vegetated nature of the Project Site, particularly with open meadows and forests, also enables the Project Site to sequester some carbon.

1.2.3.2 Wildlife

Wildlife species in the ROI are those common to semi-rural/suburban areas in central Maryland. Wildlife habitat in the ROI includes forest, open meadows, agricultural fields, emergent wetlands, and surface water, as well as the transition area (i.e., edge habitat) between these vegetative communities, as described above.

Wildlife commonly associated with wetlands include muskrat (*Ondatra zibethicus*), blue heron (*Ardea herodias*), eastern box turtle (*Terrapene carolina carolina*), American toad (*Anaxyrus americanus*), and red-bellied water snake (*Nerodia erythrogaster*) (USFWS, 1995). Wildlife that favor forest edge habitats include white-tailed deer (*Odocoileus virginianus*), eastern gray squirrel (*Sciurus carolinensis*), eastern chipmunk (*Tamias striatus*), eastern cottontail rabbit (*Sylvilagus floridanus*), red fox (*Vulpes vulpes)*, and species of birds and bats (SDI, 2020).

The Project Site contains numerous bird nest boxes that are maintained by a private citizen with permission from the Beltsville Agricultural Research Center (BARC) and provide habitat for cavity-nesting bird species such as eastern bluebird (*Sialia sialis*) and tree swallow (*Tachycineta bicolor*). These nests boxes are known to produce successful fledglings.

Certain common wildlife species in the ROI also have value as game species. For example, the US Department of Agriculture (USDA) permits the hunting of white-tailed deer and Canada geese (*Branta canadensis)* at BARC. Between 1995 and 2018, participants in BARC's hunting program harvested an annual average of 264 deer on BARC (BARC, 2019a); between 2013 and 2018, participants harvested an annual average of 155 Canada geese on BARC (BARC, 2019b). Hunting use of the Project Site and ROI, however, are generally restricted due to the ROI's proximity to off-site, developed lands.

1.2.3.3 Special Status Species

Federal- and State-Listed Species

Treasury identified federal-listed threatened and endangered species with potential to occur in the ROI by using the USFWS' Information for Planning and Consultation (IPaC) database. The only species with the potential to occur within the ROI is the NLEB, listed as "threatened" under the ESA (USFWS, 2020a). Treasury conducted an acoustic survey for the NLEB on and near the Project Site in June 2019; however, no NLEBs were found (USACE, 2019). Further, no known NLEB hibernaculum or maternity roosts exist in Prince George's County (USFWS, 2019).

Treasury consulted with the MDNR Wildlife and Heritage Service (WHS) to determine the potential presence of state-listed species in the ROI. In a letter dated July 14, 2020, the MDNR-WHS confirmed that no state-listed species have been recorded previously in the Project Site. Further, the MDNR-WHS expressed no specific concerns with regard to the Proposed Action's potential impacts on special status species under its jurisdiction (see **Appendix A**).

Bald Eagles

Bald eagles nest on forest edges in large trees, often near farm fields or bodies of water. In Maryland, the bald eagle mating season begins in mid-December, with a clutch of one to three eggs laid by March. Hatching typically occurs in April, after which eaglets remain in the nest for about 12 weeks. Juvenile eagles learn to fly in June, and by August can hunt and fish on their own. Bald eagles forage over large bodies of water, such as rivers or lakes, as their diet consists mainly of fish; however, they are also known to forage in nearby terrestrial areas for small mammals, birds, reptiles, and carrion (MDNR, 2021).

No bald eagle nests exist within the ROI. The closest known bald eagle nest to the Project Site is located approximately 0.6 mile south of the Project Site along Beaverdam Creek (MBCP, 2020). This nest is popular among local bird watchers and is known to produce successful eaglets.

Migratory Birds

BARC is located within the Atlantic Flyway, a primary bird migration corridor that extends north to south along the Atlantic Coast (i.e., extending from northern breeding grounds to southern wintering areas).

Migratory birds use BARC, including the Project Site, as seasonal feeding ground, breeding ground, or for temporary stop-over during migration (USFWS, 2020b). BARC is a popular site among local bird watchers, who have identified over 200 species of migratory birds on BARC (see eBird for a list of bird sightings on BARC). Treasury's proposed parcel is a popular location for bird watching within BARC due to its variety of habitats.

The USFWS identifies 12 Birds of Conservation Concern (BCCs) with the potential to occur on the Project Site (USFWS, 2020c). BCCs are defined as "migratory and non-migratory bird species (beyond those already designated as federally threatened or endangered) that represent [the USFWS's] highest conservation priorities" (USFWS, 2015). All 12 BCCs have been observed on BARC, although only eight have been specifically reported within the ROI (see **Table 3**) (Cornell Lab of Ornithology, 2020).

Table 3: BCCs with the Potential to Occur in the ROI

Common Name	Scientific Name	Observed in the ROI	Potential Use of the ROI
Black-billed Cuckoo	*(Coccyzuz erythropthalmus)*	No	Foraging and nesting; breeds May 15 to October 10
Bobolink	*(Dolichonyx oryzivorus)*	Yes	Foraging and nesting; breeds May 20 to July 31
Canada Warbler	*(Cardellina canadensis)*	Yes	Foraging and nesting; breeds May 20 to July 31
Dunlin	*(Calidris alpine arcticola)*	No	Foraging in aquatic areas; breeds elsewhere
Golden-winged Warbler	*(Vermivora crysoptera)*	No	Foraging and nesting; breeds May 1 to July 20
Lesser Yellowlegs	*(Tringa flavipes)*	Yes	Foraging in aquatic areas; breeds elsewhere
Prairie Warbler	*(Dendroica discolor)*	No	Foraging and nesting; breeds May 20 to July 31
Prothonotary Warbler	*(Protonotaria citrea)*	Yes	Foraging and nesting; breeds April 1 to July 31
Red-headed Woodpecker	*(Melanerpes erythrocephalus)*	Yes	Foraging and nesting; breeds May 10 to September 10
Rusty Blackbird	*(Euphagus carolinus)*	Yes	Foraging; breeds elsewhere
Semipalmated Sandpiper	*(Calidris pusilla)*	Yes	Foraging in aquatic areas; breeds elsewhere
Wood Thrush	*(Hylocichla mustelina)*	Yes	Foraging and nesting; breeds May 10 to August 31

Green Shading: Observed in the ROI | Red Shading: Not observed in the ROI
Source: (USFWS, 2020c; Audubon, 2020; Cornell Lab of Ornithology, 2020)

1.3 Environmental Effects

This section analyzes potential effects on biological resources within the ROI that could occur under the Proposed Action (i.e., Preferred Alternative) and No Action Alternative. Measures to reduce potential adverse effects on biological resources from the Proposed Action are also identified.

1.3.1 Approach to the Analysis

For this analysis, Treasury defined a significant adverse impact as one that would:

- Substantially reduce regionally or locally important habitat.
- Substantially diminish a regionally or locally important plant or animal species.
- Adversely affect recovery of a federal- or state-listed species.

Potential impacts on biological resources from noise and light encroachment are also analyzed. Overall, ***no significant adverse impacts*** to biological resources are anticipated.

1.3.2 No Action Alternative

Under the No Action Alternative, Treasury would not construct or operate the Proposed Action. Biological resources within the ROI would not change due to Treasury's proposed activities. No or limited human activities would occur at the Project Site. Therefore, there would be ***no effect*** on biological resources.

1.3.3 Preferred Alternative

1.3.3.1 Vegetation

Construction

The construction limits of disturbance (LOD) of the Proposed Action include approximately 100.3 acres, or 82.1 percent, of the Project Site. Under the Preferred Alternative, this LOD would be converted to developed land, resulting in removal of the existing vegetation communities (i.e., approximately 83.6 acres of vegetation, with the balance of the acreage already developed) and habitat within the LOD.

Table 4 identifies the acreage of each existing vegetation community that would be removed from the Project Site, as well as the associated percentage of removal of each vegetation community within the ROI. **Figure 2** depicts the area of the Project Site that would be converted to developed land under the Preferred Alternative.

Table 4: Vegetation Community Removal during Proposed Construction

Vegetation Community	Acres	Percent of Community in ROI
Forest	3.6	1.7
Agriculture	20.7	9.9
Open meadow w/ mature trees	58.4	27.1
Emergent wetlands	0.9	30.0
Total	**83.6**	**N/A**

As shown in **Figure 2**, proposed forest clearing (i.e., approximately 3.6 acres) would occur along the eastern boundary of the Project Site; this clearing would be near the edge of the forest and would not result in fragmentation of existing forest. There could also be minor forest clearing within the existing forest conservation easements as needed to install the security fence; Treasury would minimize disturbance to the forest conservation easements to the extent practicable and consult with the MDNR regarding these disturbances through the FCA compliance process. No vegetation removal would occur outside of the Project Site.

Up to 125 of the 149 total specimen trees on the Project Site (i.e., 84 percent) would be removed. These include specimen trees in Forest Stand 2 and in the open meadows within the central and southern portions of the Project Site (see **Figure 1**).[2]

[2] In areas proposed for revegetation (see **Figure 2**), Treasury would attempt to avoid removing specimen trees to the extent possible during construction; however, Treasury anticipates that the majority of these specimen trees would be removed. These trees are included in the impact total presented herein.

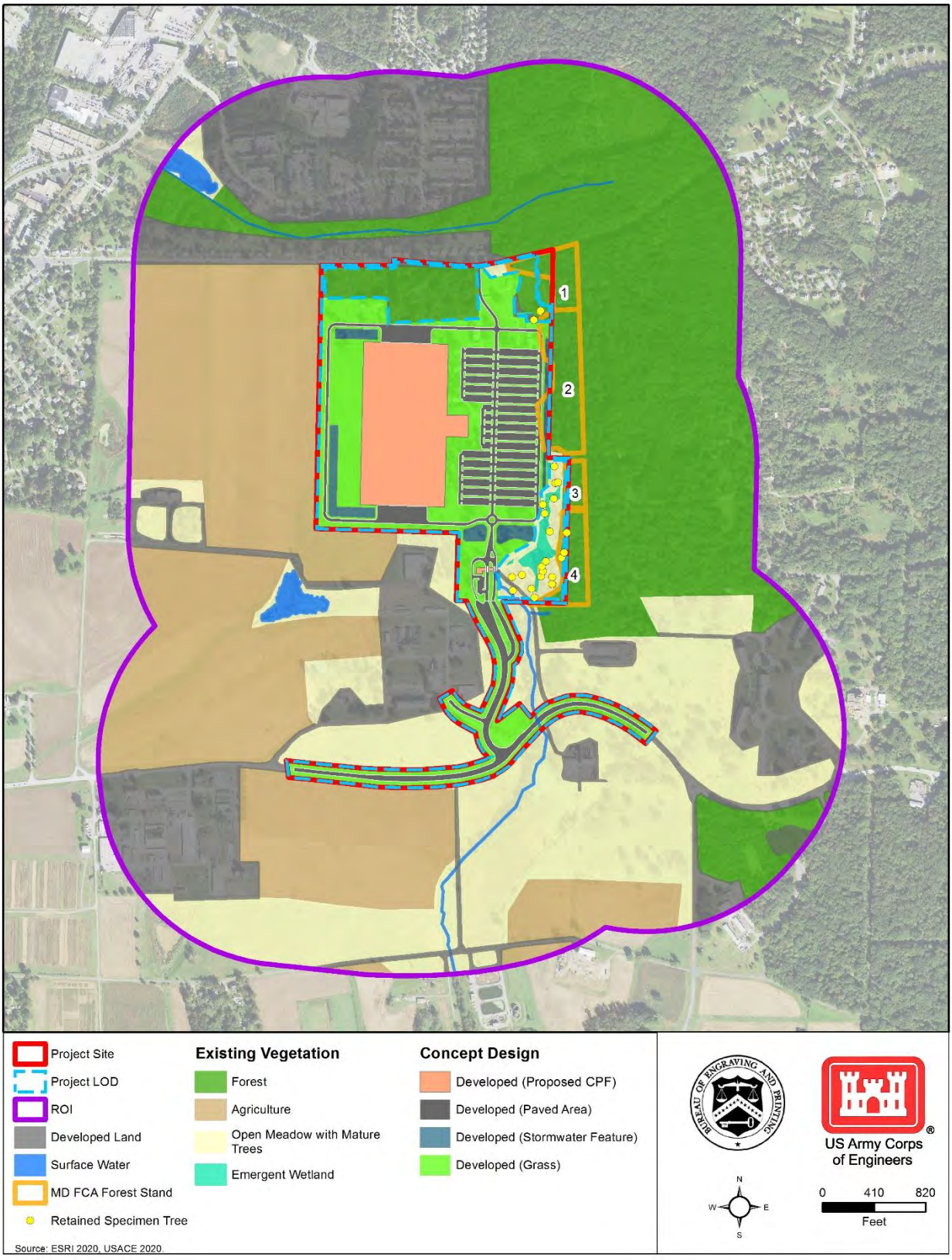

Figure 2: Post-Construction Biological Resources

The removal of specimen trees and forested areas during construction of the Proposed Action would be offset by Treasury's compliance with the FCA. To mitigate tree removal under the Proposed Action, Treasury would develop a Forest Conservation Plan (FCP) and Planting Plan that identifies where Treasury would plant new (i.e., replacement) trees or retain existing trees under a conservation easement. Further, the FCP would specify additional tree protection measures, such as pruning and/or fertilizing, to retain and maintain tree health of retained trees on the Project Site during and after construction (CBF, 2004). The National Capital Planning Commission's (NCPC) Comprehensive Plan also contains tree canopy and tree replacement policies that Treasury would incorporate into the design of the Preferred Alternative to the maximum extent practicable.

Overall, tree removal under the Proposed Action would be ***less than significant*** on the Project Site and ***negligible*** in the context of the overall ROI. BARC manages approximately 3,074 acres of forest land (USDA ARS, 2000); as such, removal of 3.6 acres of forest land within BARC (i.e., 0.1 percent), 125 specimen trees, and 80.0 acres of other non-forest vegetation communities would result in ***less-than-significant adverse impacts*** to forest resources and vegetation in the ROI that would be proactively reduced through compliance with existing laws and policies. Construction would have ***no impact*** on invasive species, as areas proposed to be disturbed by construction would be landscaped with native species according to Treasury's design.

Operation

Proposed post-construction vegetation on the Project Site is summarized in **Table 5** and shown in **Figure 2**. Treasury would revegetate approximately 47.3 acres (47.2 percent) of the 100.3-acre LOD disturbed during construction with native plant species in accordance with landscape plans developed during the design phase. Revegetated areas would generally consist of maintained lawn or other typical landscape vegetation for security, aesthetic, and grounds maintenance purposes; these areas would have minimal value as wildlife habitat, but would be maintained to prevent establishment of invasive species and to avoid soil erosion. No natural vegetation communities would re-establish within the construction LOD. While existing on-site meadows would be removed, long-term carbon sequestration functions would be replaced in part by the replacement trees and other native vegetation planted on-site in accordance with the FCP and Planting Plan. Portions of the Project Site not included in the construction LOD (i.e., approximately 21.9 acres) would remain as they are under existing conditions. The proposed stormwater management features may support limited aquatic vegetation on the Project Site.

Table 5: Post-Construction Vegetation Communities within the ROI

Vegetation Community / Land Cover	Acres of Project Site	Acres of ROI	Percent of ROI
Forest	13.6	203.1	25.1
Agriculture	0.4	188.1	23.2
Open meadow w/ mature trees	5.2	157.4	19.4
Emergent wetlands	2.0	2.1	0.3
Surface water (e.g., ponds, streams)	0.0	4.2	0.5
Developed land (non-vegetated)	53.7	254.9	31.5
Developed land (grass)	47.3		
Total	**122.2**	**809.7**	**100**

Note: Errors in math due to rounding.

Implementation of the FCP would retain and protect on-site specimen trees to the maximum extent possible. Additionally, as noted previously, Treasury would establish the location(s) of forest retention and/or reforestation in the FCP and associated Planting Plan; these locations could be in portions of the Project Site outside the construction LOD or in an appropriate off-site location (e.g., elsewhere on BARC). These retention/reforestation areas would be permanently protected through legal means (e.g., a forest conservation easement).

Overall, these changes would result in ***negligible impacts*** to vegetation during operation of the proposed Currency Production Facility (CPF). The Proposed Action would not substantially reduce regionally or locally important habitat or substantially diminish a regionally or locally important plant or animal species.

1.3.3.2 Wildlife

Construction

Construction of the Proposed Action would remove approximately 83.6 acres of existing, vegetated wildlife habitat within the Project Site, including edge habitats (see **Table 4** and **Figure 1**). As described above, revegetated areas would not consist of natural vegetation communities; therefore, these areas would not provide equivalent habitat for wildlife. The proposed stormwater management features may provide limited aquatic habitat on the Project Site.

During construction, wildlife would be displaced from the Project Site into adjacent areas in the ROI; wildlife within the ROI would be disturbed by both construction noise and wildlife moving from the Project Site to adjacent areas. Less mobile species on the Project Site could be killed by construction equipment. As the Project Site is bordered on three sides by residential development, active cropland, and active BARC facilities, and does not include areas critical to wildlife movement, wildlife habitat fragmentation would be ***negligible***. As part of the Proposed Action, Treasury would coordinate with the owner(s) of the on-site bird nest boxes to have them relocated from the Project Site prior to construction. Relocation would occur during the non-nesting period for bluebirds and tree swallows.

Treasury would minimize the potential for on-site and downstream impacts to aquatic wildlife and their habitats through compliance with the Clean Water Act (CWA) (33 USC 1251 *et seq.*), Section 438 of the Energy Independence and Security Act (EISA) (42 USC 17094 *et seq.*), and EO 13508, *Chesapeake Bay Protection and Restoration* (see the ***Water Resources Technical Memorandum***). Similar to terrestrial wildlife, less mobile species inhabiting on-site wetlands or streams that would be impacted/filled by the Proposed Action could be killed. No downstream effects would be anticipated from fill of isolated wetlands. Downstream effects associated with on-site WOUS impacts could include sedimentation and altered water flows from impacts to the on-site intermittent streams and jurisdictional wetlands; these impacts would be minimized through compliance with the site-specific Erosion and Sedimentation Control Plan (ESCP) and National Pollutant Discharge Elimination System best management practices (see the ***Topography and Soils Technical Memorandum***). The existing intermittent stream along Poultry Road to be diverted would remain in its existing condition until the new natural channel has been constructed, at which point the water flow would be transitioned to the new channel. This would minimize potential sedimentation or altered water flows during the construction process.

Adverse water quality impacts to downstream waterbodies from the Proposed Action could include increased water flows, turbidity, and effluent loading associated with increased wastewater relative to existing conditions; however, these increases would remain well within the BARC East Wastewater Treatment Plant's permitted capacity, which was established in accordance with the Anacostia River and

Chesapeake Bay Total Maximum Daily Loads, and be anticipated to have minimal impact on the biological integrity of downstream waterbodies.

Overall, wildlife habitat loss associated with the Preferred Alternative would not contribute to an appreciable decline in wildlife populations in the ROI, nor would it substantially affect hunting on BARC. All other potential impacts to wildlife from construction would be localized and occur on a temporary basis. As such, construction of the Preferred Alternative would result in ***less-than-significant adverse impacts*** on wildlife. The Proposed Action would not substantially reduce regionally or locally important habitat or substantially diminish a regionally or locally important plant or animal species.

Operation

The proposed CPF would operate 24 hours per day, 5 days per week, increasing noise and light in the ROI (see the ***Noise Technical Memorandum*** and ***Visual Resources Technical Memorandum***, respectively). Wildlife on and near the Project Site would experience a permanent change in ambient levels of noise and light. These changes could disturb some local wildlife species, particularly those inhabiting the Project Site. Over time, many local wildlife species would adapt to these new conditions or relocate to other areas in the ROI.

Noise and light generated from proposed CPF operations would attenuate to ambient levels at approximately 800 feet from source. Measures to reduce operational noise and light impacts, including consideration of the International Dark-Sky Association's five principles for responsible outdoor lighting in the Proposed Action design, would minimize these impacts, resulting in ***less-than-significant adverse impacts*** to wildlife in the ROI. Potential adverse impacts of site lighting to migrating birds traveling over the Project Site would be ***negligible*** due to the site's close proximity to an established, generally well-lit industrial and commercial corridor along US Route 1; the Proposed Action would not substantially affect the amount of light visible from the air on a landscape level.

1.3.3.3 Special Status Species

Federal- and State-Listed Species

Construction

No effect on federal- or state-listed special status species would be anticipated from the construction of the Proposed Action except the federally threatened NLEB. While the NLEB was not documented on or near the Project Site during the June 2019 bat acoustic surveys and no known hibernaculum or maternity roosts occur in the ROI, potential suitable roosting habitat does occur on-site.

Using the USFWS IPAC determination key, Treasury determined that the Proposed Action ***may affect*** the NLEB. However, any take that may occur under the Proposed Action would not be prohibited under the ESA Section 4(d) rule adopted for NLEBs. The USFWS provided a letter, dated March 3, 2020, concurring with this determination (see **Appendix A**).

As such, the Proposed Action would not adversely affect recovery of a federal- or state-listed species.

Operation

No effect on federal- or state-listed special status species would be anticipated from operation of the Proposed Action.

Bald Eagles

Construction

In consultation with the USFWS regarding the Proposed Action's potential to disturb the bald eagle nest located 0.6 mile south of the Project Site, Treasury completed the USFWS's recommended Northeast Bald Eagle Project Screening Form (see **Appendix A**). Based on the types of activities included in the Proposed Action, as well as the potential visibility of the Proposed Action from the bald eagle nest, the Screening Form identified three avoidance measures for Treasury to implement as part of its Proposed Action (see **Section 1.4**). These measures include, in part, a distance buffer of 660 feet; the bald eagle nest is well outside of this recommended buffer (i.e., 0.6 miles or 3,170 feet). Additionally, as described in the ***Visual Resources Technical Memorandum***, Treasury intends to retain existing landscape buffers with appropriate-height vegetation around the periphery of Treasury's proposed parcel, which would help visually screen the Proposed Action from the existing bald eagle nest.

Bald eagles forage primarily over or near waterbodies. The Project Site, bounded to the west by active agriculture and to the north by residential development, is not between the eagle nest and Beaverdam Creek. The USFWS concurred that the Proposed Action would be unlikely to affect the bald eagles' ability to forage (see **Appendix A**). Although local bird watchers have observed bald eagles foraging on or near the Project Site, bald eagles would likely avoid the Project Site during construction. Therefore, with implementation of the USFWS's identified avoidance measures, construction of the Preferred Alternative would have a ***less-than-significant adverse impact*** on bald eagles.

Operation

Potential impacts on bald eagles from operation of the Proposed Action would be similar to those described above for wildlife. Noise and light generated from proposed CPF operations would create minor disturbances to bald eagles that approach Treasury's proposed parcel, potentially resulting in a ***negligible impact***. Noise and light would attenuate to ambient levels at approximately 800 feet from the proposed CPF and therefore would not impact the nest to the south of the Project Site. Bald eagles would likely avoid the proposed CPF and acclimate to its operation over time. Retained landscape buffers with appropriate-height vegetation on-site would continue to help visually screen the Project Site from the nest.

Migratory Birds

Construction

Construction of the Proposed Action could impact migratory birds in the ROI from site disturbance, particularly if construction would occur between May and September (see **Table 3**). Most birds would likely avoid the Project Site or relocate to nearby habitat areas on BARC, in the ROI, or regionally, although they would experience loss of approximately 63 acres of non-agricultural habitat (i.e., primarily open meadows with mature trees). Therefore, construction of the Preferred Alternative would result in ***less-than-significant adverse impacts*** on migratory birds.

Operation

Potential impacts on migratory birds from operation of the Proposed Action would be like those described above for wildlife. Additionally, there could be occasional migratory bird mortality resulting from window strikes; however, the proposed CPF's windows would primarily be located in the limited office areas, and would comprise a small percentage of the overall building surface area. Bird collision deterrence options would be assessed during the design process using the Leadership in Energy and Environmental Design

(LEED) framework and implemented as appropriate. Overall, operational activities would have ***less-than-significant adverse impacts*** on migratory birds.

1.4 Impact-Reduction Measures

As part of the Proposed Action, Treasury would implement the following impact-reduction measures to minimize potential adverse impacts to biological resources:

- Implement the FCP/Planting Plan as required by the FCA. Forest areas identified as retention, reforestation, or afforestation areas in the FCP would be placed under a long-term protection agreement (e.g., a conservation easement or similar framework).
- Implement pre-construction activities, such as pruning and/or fertilizing, as specified in the FCP to ensure retained specimen tree health.
- Incorporate the tree canopy and tree replacement policies from the NCPC Comprehensive Plan Federal Environment Element into the design of the Preferred Alternative to the maximum extent practicable.
- Consider the wildlife design guidelines outlined in Section H of the NCPC Comprehensive Plan Federal Environment Element in the design of the Preferred Alternative to the maximum extent practicable.
- Comply with the applicable provisions of the CWA, Section 438 of the EISA, and EO 13508 to control and manage erosion and minimize discharge, such as the preparation of a site-specific ESCP and incorporation of green infrastructure and low impact development (GI/LID) design features and techniques.
- Use only native species in landscaping and revegetation techniques to prevent the introduction and proliferation of invasive species.
- Implement the following bald eagle disturbance avoidance measures:
    - Maintain a distance buffer of at least 660 feet between all project activities and the existing BARC eagle nest. If there is an existing human-made feature (e.g., house, road, structure) similar to the Proposed Action that is closer than 660 feet and tolerated by the nesting eagles, maintain a distance buffer equal to or greater than the distance separating that tolerated feature and the nest.
    - Do not perform disruptive project activities within 660 feet of the nest during the breeding season (December 15 to June 30). Disruptive activities include, but are not limited to, external construction, excavation, use of heavy equipment, use of loud equipment or machinery, vegetation clearing, earth disturbance, planting, and landscaping.
    - Maintain existing landscape buffers that visually screen the activity from the nest.
- Limit or avoid site clearance activities (e.g., tree removal, building demolition) within the migratory bird nesting season (i.e., approximately May 1 to September 10) to the extent possible.
- Coordinate with the owner(s) of bird nest boxes to relocate nest boxes during the non-nesting period for the bluebird and tree swallow prior to construction.
- Incorporate into the design of the proposed CPF the Impact-Reduction Measures identified in the ***Noise Technical Memorandum*** and ***Visual Resources Technical Memorandum*** to abate or shield noise and light, respectively.

- Using the LEED framework, evaluate the need for design measures to reduce the likelihood of bird mortality from window strikes, such as patterns on glass windows and use of non-reflective windows.

1.5 Mitigation Measures

Treasury should implement the following project-specific mitigation measures to further reduce the potential for adverse impacts to biological resources:

- Apply voluntary conservation measures to reduce potential impacts to the NLEB, as identified in the NLEB Programmatic Biological Opinion. These measures may include avoiding tree removal activities within the NLEB pup season (June 1 to July 31).
- As described in the ***Visual Resources Technical Memorandum***, establish landscape buffers, including appropriate-height vegetation, on all sides of Treasury's proposed parcel to minimize views from off-site areas, to the extent practicable while still meeting site security requirements. This mitigation measure would further reduce potential adverse impacts to the bald eagle nest located approximately 0.6 mile south of the Project Site.
- Construct and maintain the proposed stormwater management features to provide as much wildlife habitat value as possible.
- Develop the landscape design plan to revegetate Treasury's proposed parcel with native vegetation and micro-habitats (e.g., maintained meadows and additional reforestation) such that it maximizes wildlife values.

1.6 References

Audubon. (2020). *Audubon*. Retrieved March 10, 2020, from https://www.audubon.org/

BARC. (2019a). *Deer Harvest Data, 1995 to 2018.*

BARC. (2019b). *Goose Harvest.*

BEP. (2019). *Environmental Constraints Report*.

CBF. (2004). *A Citizen's Guide to the Forest Conservation Act.*

Cornell Lab of Ornithology. (2020). *ebird: Hotspot Map Beltsville Agricultural Research Center*. Retrieved February 27, 2020, from https://ebird.org/hotspot/L486305

MBCP. (2020). *Bald Eagle Nest Mapper*. Retrieved January 30, 2020, from https://www.google.com/maps/d/u/0/viewer?mid=1oEK2mnOwFEeST8eJYJGTTgXvGJI&ll=39.03452068944332%2C-76.86647649263489&z=14

MDNR. (2021). *Maryland Birds: Bald Eagles*. Retrieved January 12, 2021, from https://dnr.maryland.gov/wildlife/Pages/plants_wildlife/Bald_Eagle.aspx#:~:text=Bald%20Eagles%20are%20found%20in,of%20the%20US%20and%20Canada.

NCPC. (2016a). *The Comprehensive Plan for the National Capital: Federal Element*. Retrieved January 14, 2021, from https://www.ncpc.gov/plans/compplan/

NCPC. (2016b). *The Comprehensive Plan for the National Capital: Federal Environmental Element*. Retrieved January 14, 2021, from https://www.ncpc.gov/docs/07_CP_2016_Environment_Element_2.29.16_revised.pdf

SDI. (2020). *Forest Edges*. Retrieved February 2, 2020, from http://sustainabledevelopmentinstitute.org/qrcode_002/

USACE. (2019). *Results of Bat Survey for Proposed Bureau of Engraving and Printing Site.*

USACE. (2020). *Draft Forest Stand Delineation Report.*

USDA ARS. (2000). *Annotated List of the Flora of the Beltsville Agricultural Research Center, Beltsville Maryland.*

USDOI. (2017). *Memorandum 37050: The Migratory Bird Treaty Act Does Not Prohibit Incidental Take*. Retrieved February 17, 2020, from https://www.doi.gov/sites/doi.gov/files/uploads/m-37050.pdf

USFWS. (1995). *National Wetlands Inventory Wetlands of Maryland*. Retrieved February 17, 2020, from https://www.fws.gov/wetlands/Documents%5CWetlands-Of-Maryland.pdf

USFWS. (2015). *Birds of Conservation Concern*. Retrieved April 14, 2020, from https://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php

USFWS. (2016). *Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-Eared Bat and Activties Excepted from Take Prohibitions.* Bloomington, MN: Midwest Regional Office.

USFWS. (2019). *Chesapeake Bay Field Office Northern Long-eared Bats and your Project*. Retrieved March 25, 2020, from https://www.fws.gov/chesapeakebay/saving-wildlife/project-review/step-1.html

USFWS. (2020a). *IPAC Official Species List.*

USFWS. (2020b). *Migratory Bird Flyways*. Retrieved February 2, 2020, from https://www.fws.gov/birds/management/flyways.php

USFWS. (2020c). *IPaC Resource List.*

This page intentionally left blank.

Appendix A: Agency Consultation

This page intentionally left blank.

MARYLAND
DEPARTMENT OF
NATURAL RESOURCES

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary

March 22, 2021

Michael J. Klebasko, P.W.S.
Wetland Studies and Solutions, INC
1131 Benfield Boulevard, Suite L
Millersville, MD 211108
Tel: 410-672-5990
Fax: 410-672-5993

Bureau of Engraving and Printing Forest Stand Delineation Approval

FCP #S21-05

Dear Mr. Klebasko:

This is to acknowledge receipt of the revised Forest Conservation Application for the above captioned project, submitted via email dated February 9, 2021. Upon review, the FSD is determined to be complete.

No development activity can commence on the site until a Final Forest Conservation Plan has been approved per Natural Resources Article 5-1608 Annotated Code of Maryland.

The Department of Natural Resources considers all documents submitted as part of a forest conservation plan public information under the Maryland Public Information Act. An applicant seeking to exempt documents submitted to the Department from public inspection must submit a written request to the Department detailing how the document or documents qualify for an exemption under Annotated Code of Maryland, Title 4 of General Provisions Article.

Please refer to FCP# S21-05 in all future correspondence pertaining to this project. If you have any questions, or need any additional information, please do not hesitate to contact me at 410-360-9774 (Office), 240-538-1636 (Cell) or via email at horace.henry@maryland.gov. Many thanks.

Sincerely,

Horace Henry
Southern Region Urban & Community Forestry Coordinator

CC: Amanda Cortez – *Rhodeside & Harwell, Inc.*

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
Phone: (410) 573-4599 Fax: (410) 266-9127
http://www.fws.gov/chesapeakebay/
http://www.fws.gov/chesapeakebay/endsppweb/ProjectReview/Index.html

In Reply Refer To: June 22, 2020
Consultation Code: 05E2CB00-2020-SLI-1366
Event Code: 05E2CB00-2020-E-03772
Project Name: Construction and Operation of a Currency Production Facility

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 enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. This species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. 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:

Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
(410) 573-4599

Project Summary

Consultation Code: 05E2CB00-2020-SLI-1366

Event Code: 05E2CB00-2020-E-03772

Project Name: Construction and Operation of a Currency Production Facility

Project Type: DEVELOPMENT

Project Description: The US Department of the Treasury proposed to construct and operate a currency production facility at the Beltsville Agricultural Research Center in Prince George's County Maryland.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/39.03761943477946N76.88427654164272W

Counties: Prince George's, MD

Endangered Species Act Species

There is a total of 1 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. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], 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 *Myotis septentrionalis*	Threatened

No critical habitat has been designated for this species.

This species only needs to be considered under the following conditions:

- Projects with a federal nexus that have tree clearing = to or > 15 acres: 1. REQUEST A SPECIES LIST 2. NEXT STEP: EVALUATE DETERMINATION KEYS 3. SELECT EVALUATE under the Northern Long-Eared Bat (NLEB) Consultation and 4(d) Rule Consistency key

Species profile: https://ecos.fws.gov/ecp/species/9045

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.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
Phone: (410) 573-4599 Fax: (410) 266-9127
http://www.fws.gov/chesapeakebay/
http://www.fws.gov/chesapeakebay/endsppweb/ProjectReview/Index.html

In Reply Refer To: July 16, 2020
Consultation Code: 05E2CB00-2020-TA-1366
Event Code: 05E2CB00-2020-E-04180
Project Name: Construction and Operation of a Currency Production Facility

Subject: Verification letter for the 'Construction and Operation of a Currency Production Facility' project under the January 5, 2016, Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-eared Bat and Activities Excepted from Take Prohibitions.

Dear Benjamin Obenland:

The U.S. Fish and Wildlife Service (Service) received on July 16, 2020 your effects determination for the 'Construction and Operation of a Currency Production Facility' (the Action) using the northern long-eared bat (*Myotis septentrionalis*) key within the Information for Planning and Consultation (IPaC) system. This IPaC key assists users in determining whether a Federal action is consistent with the activities analyzed in the Service's January 5, 2016, Programmatic Biological Opinion (PBO). The PBO addresses activities excepted from "take"[1] prohibitions applicable to the northern long-eared bat under the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based upon your IPaC submission, the Action is consistent with activities analyzed in the PBO. The Action may affect the northern long-eared bat; however, any take that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o). Unless the Service advises you within 30 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the PBO satisfies and concludes your responsibilities for this Action under ESA Section 7(a)(2) with respect to the northern long-eared bat.

Please report to our office any changes to the information about the Action that you submitted in IPaC, the results of any bat surveys conducted in the Action area, and any dead, injured, or sick northern long-eared bats that are found during Action implementation. If the Action is not completed within one year of the date of this letter, you must update and resubmit the information required in the IPaC key.

If the Action may affect other federally listed species besides the northern long-eared bat, a proposed species, and/or designated critical habitat, additional consultation between you and this Service office is required. If the Action may disturb bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act is recommended.

---

[1]Take means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct [ESA Section 3(19)].

Action Description
You provided to IPaC the following name and description for the subject Action.

1. Name

Construction and Operation of a Currency Production Facility

2. Description

The following description was provided for the project 'Construction and Operation of a Currency Production Facility':

> The US Department of the Treasury proposed to construct and operate a currency production facility at the Beltsville Agricultural Research Center in Prince George's County Maryland.

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/39.03761943477946N76.88427654164272W

Determination Key Result

This Federal Action may affect the northern long-eared bat in a manner consistent with the description of activities addressed by the Service's PBO dated January 5, 2016. Any taking that may occur incidental to this Action is not prohibited under the final 4(d) rule at 50 CFR §17.40(o). Therefore, the PBO satisfies your responsibilities for this Action under ESA Section 7(a)(2) relative to the northern long-eared bat.

Determination Key Description: Northern Long-eared Bat 4(d) Rule

This key was last updated in IPaC on May 15, 2017. Keys are subject to periodic revision.

This key is intended for actions that may affect the threatened northern long-eared bat.

The purpose of the key for Federal actions is to assist determinations as to whether proposed actions are consistent with those analyzed in the Service's PBO dated January 5, 2016.

Federal actions that may cause prohibited take of northern long-eared bats, affect ESA-listed species other than the northern long-eared bat, or affect any designated critical habitat, require ESA Section 7(a)(2) consultation in addition to the use of this key. Federal actions that may affect species proposed for listing or critical habitat proposed for designation may require a conference under ESA Section 7(a)(4).

Determination Key Result

This project may affect the threatened Northern long-eared bat; therefore, consultation with the Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.) is required. However, based on the information you provided, this project may rely on the Service's January 5, 2016, *Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-Eared Bat and Activities Excepted from Take Prohibitions* to fulfill its Section 7(a)(2) consultation obligation.

Qualification Interview

1. Is the action authorized, funded, or being carried out by a Federal agency?

   Yes

2. Have you determined that the proposed action will have "no effect" on the northern long-eared bat? (If you are unsure select "No")

   No

3. Will your activity purposefully **Take** northern long-eared bats?

   No

4. [Semantic] Is the project action area located wholly outside the White-nose Syndrome Zone?

   Automatically answered
   No

5. Have you contacted the appropriate agency to determine if your project is near a known hibernaculum or maternity roost tree?

   Location information for northern long-eared bat hibernacula is generally kept in state Natural Heritage Inventory databases – the availability of this data varies state-by-state. Many states provide online access to their data, either directly by providing maps or by providing the opportunity to make a data request. In some cases, to protect those resources, access to the information may be limited. A web page with links to state Natural Heritage Inventory databases and other sources of information on the locations of northern long-eared bat roost trees and hibernacula is available at www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html.

   Yes

6. Will the action affect a cave or mine where northern long-eared bats are known to hibernate (i.e., hibernaculum) or could it alter the entrance or the environment (physical or other alteration) of a hibernaculum?

   No

7. Will the action involve Tree Removal?

   Yes

8. Will the action only remove hazardous trees for the protection of human life or property?

   No

9. Will the action remove trees within 0.25 miles of a known northern long-eared bat hibernaculum at any time of year?

   No

10. Will the action remove a known occupied northern long-eared bat maternity roost tree or any trees within 150 feet of a known occupied maternity roost tree from June 1 through July 31?

    No

Project Questionnaire

If the project includes forest conversion, report the appropriate acreages below. Otherwise, type '0' in questions 1-3.

1. Estimated total acres of forest conversion:
102.3

2. If known, estimated acres of forest conversion from April 1 to October 31
102.3

3. If known, estimated acres of forest conversion from June 1 to July 31
102.3

If the project includes timber harvest, report the appropriate acreages below. Otherwise, type '0' in questions 4-6.

4. Estimated total acres of timber harvest
0

5. If known, estimated acres of timber harvest from April 1 to October 31
0

6. If known, estimated acres of timber harvest from June 1 to July 31
0

If the project includes prescribed fire, report the appropriate acreages below. Otherwise, type '0' in questions 7-9.

7. Estimated total acres of prescribed fire
0

8. If known, estimated acres of prescribed fire from April 1 to October 31
0

9. If known, estimated acres of prescribed fire from June 1 to July 31
0

If the project includes new wind turbines, report the megawatts of wind capacity below. Otherwise, type '0' in question 10.

10. What is the estimated wind capacity (in megawatts) of the new turbine(s)?
0

MARYLAND
DEPARTMENT OF
NATURAL RESOURCES

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary

July 14, 2020

Mr. Benjamin Obenland
AECOM
1420 Milestone Center Drive
Suite 150
Germantown, MD 20876

RE: Environmental Review for US Department of Treasury Proposed Construction of Currency Production Facility at Beltsville Agricultural Research Center - amended plan, Prince George's County, Maryland.

Dear Mr. Obenland:

The Wildlife and Heritage Service has determined that there are no official State or Federal records for listed plant or animal species within the delineated area shown on the map provided. As a result, we have no specific concerns regarding potential impacts or recommendations for protection measures at this time. Please let us know however if the limits of proposed disturbance or overall site boundaries change and we will provide you with an updated evaluation.

Thank you for allowing us the opportunity to review this project. If you should have any further questions regarding this information, please contact me at (410) 260-8573.

Sincerely,

Lori A. Byrne

Lori A. Byrne,
Environmental Review Coordinator
Wildlife and Heritage Service
MD Dept. of Natural Resources

ER# 2020.1030.pg

NORTHEAST BALD EAGLE PROJECT SCREENING FORM

Welcome!

What is the purpose of this form? The U.S. Fish and Wildlife Service (Service) designed this form as a voluntary tool to help people comply with the Bald and Golden Eagle Protection Act (BGEPA) by planning activities in a manner that avoids disturbing nesting bald eagles. To disturb a bald eagle nest means to agitate or bother a bald eagle to a degree that causes, or is likely to cause, that eagle to abandon its nest, suffer injury, or be unable to perform activities necessary to its survival. While all guidance included in this form is voluntary, individuals and organizations that disturb eagles may be subject to fine and prosecution under BGEPA.

How is this form different from the National Bald Eagle Management Guidelines? The National Bald Eagle Management Guidelines (Guidelines) is a document published by the Service in 2007 that provides background information on the biology of bald eagles, explains the Federal laws and regulations protecting them, and lays out guidance for several categories of human activities that can affect their nesting. This form takes the Guideline's recommendations, fits them to the regional conditions of the Northeast, and offers them to you in an interactive and intuitive format. Because the form fits its assessments and recommendations to the needs and behaviors of nesting bald eagles in the Northeast, you may find that it differs from the Guidelines on certain details. Nonetheless, the ultimate goal remains the same: to keep project proponents in compliance with BGEPA, while also protecting nesting bald eagles from disturbance.

How this form works. To complete this form, first, find the category of activities that includes your proposed activity. Then, go to the page listed for that category to assess whether your project may risk disturbing nesting bald eagles. If the form identifies that your activities may disturb nesting bald eagles, follow the recommended avoidance measures. These measures will identify factors that could influence nesting eagles' sensitivity to your activities: distance, visibility, timing, and exposure to other human activities. Sign the self-certification that you have committed to implementing the appropriate measures. If your proposed activities fall into multiple categories, repeat this process for each category. Additionally, if your project has the potential to affect multiple nests, complete a separate form for each nest site.

What to do with your completed form. Once you have signed your self-certification, keep the form for your personal records. You do not need to submit your completed form to the Service. Keep the form and additional pages that may be helpful to your future planning and compliance. If a local, state, or federal authority asks for documentation that you are complying with the Service's regional guidance, you can present them with your completed and signed form.

INTRODUCTION

What to know before you start. You will need a few pieces of information to help you complete this form.

Breeding Season

For temporary activities that might be loud or very visible, one of the simplest and most effective ways to avoid disturbing a bald eagle nest is to time the activity when eagles are not nesting, that is, outside the bald eagle breeding season. Wildlife agencies often refer to this type of measure as a time-of-year restriction. The bald eagle breeding season lasts approximately seven to eight months and has many stages. Start and end dates to this season can vary by location, year, and breeding pair. For simplicity, general dates are often set at a statewide level. Consult Appendix A to find the breeding season in your area.

Visibility

For some categories of activities, this form will ask whether your project activities will be visible to the nest. There are two general approaches to answering this question, a desktop assessment and a site visit. A desktop assessment involves consulting online mapping resources, such as Google Maps or state nest maps (see Appendix B), which can display your project location and the nest location on satellite or aerial imagery. When viewing this imagery, look to see whether there are landscape features or structures that might screen the nest's view of your activities. Your assessment is only as good as your imagery. Make sure the imagery is current and accurately reflects visibility conditions on the ground.

The second option is to visit your project location. Assess from various points in your project footprint whether you can see the nest. Use binoculars (4X power or greater) or spotting scope to assist your viewing. If you plan to visit the project site during the breeding season, be aware that your presence could also disturb the nest. Maintain 330' feet between you and the nest, or at least as much distance as the nearest ongoing foot traffic at the nest site. You should only perform your site visit from property legally accessible to you.

Using both the field and desktop approach will give you your best answer. If there is need to select between the two options, a site visit will generally provide a better sense of visibility. In either approach, consider that your activities may become more visible during portions of the year when leaves are off trees and other vegetation.

Nest Location

To figure out how close or how visible your activities will be, you will need precise knowledge of the nest's location. If you do not already have this information, check Appendix B to see if any online or state resources are available. If you are unable to get this information from any of these sources, survey the site. As when assessing visibility, you should only perform your visit on property legally accessible to you. You should also avoid coming within 330 feet of a nest during the breeding season, unless you know that the eagles have previously tolerated people at whatever shorter distance you are planning to use. For descriptions and examples of bald eagle nests, and explanation of how they differ from other large bird nests, see "Appendix C – Guide to Nest Identification."

If you feel unable to perform this search, consider employing the services of a wildlife biologist experienced in this type of surveying. Alternatively, consider contacting your state or local wildlife agency to see if they would be able to perform a site visit (please be aware that many state and local wildlife agencies are constrained in their resources and time and may not be able to offer this service). Be sensitive to sharing information about nest locations. Attracting public interest to a nest site can threaten the safety of that nest. Some states also continue to prohibit the release of nest locations.

It is possible that you will be unable to find a reported nest. While bald eagles commonly use nests across breeding seasons, nests do not always survive from one season to the next. Nests may fall apart of their own accord or be blown down by high winds. Bald eagles may also stop using a nest for one season or more, even if the nest as a structure still exists. In these scenarios, bald eagles may still reuse a former nest site in the following breeding seasons. The temporary absence of a nest or nesting eagles does not absolve you of your responsibilities to avoid disturbing future nesting at that site. The Service recommends implementing the measures included in this form for five years after the last breeding season eagles used a nest or, where the nest no longer exists, three years after the last breeding season in which the nest existed.

Similar Activities

One of the best indicators of what a nesting bald eagle pair will tolerate is what they have already tolerated. In certain places, this form will ask whether the nesting pair has experienced and tolerated similar activities at the nest location. To answer this question, you will need to know about previous human activity at that location. Was that activity similar in nature to what you propose? As close as or closer than what you propose to do? Did it occur at the same time of day? Time of year? Did it last as long? Was it as frequent? Was it as loud? Was it as visible? You will also need to know basic history about the nest. Did the nest exist before that previous activity? Was it ever used after that activity? If your answer to any of these questions is 'no,' you cannot answer 'yes' to the broader question of whether there is similar activity at that site. See "Appendix D – Similar Activity Example Exercise" for a demonstration of how to apply this principle.

Limitations

Know when and how you should be using this form. See "Appendix E – Limitations of this form."

Where to go for help. The Service understands that project proponents may occasionally need clarification on which assessments are relevant to them and how to implement certain avoidance and minimization measures. If you find you are unable to complete this form, you can contact your regional eagle coordinator (Tom Wittig) for assistance at

thomas_wittig@fws.gov - or - 413-253-8577

When emailing, please include in your subject line "BALD EAGLE SCREENING FORM QUESTION." If you are unable to connect with your regional eagle coordinator when calling, please leave a voice message that you are calling about this form and how best to reach you.

For explanation of technical terms used in this form, see "Appendix F – Glossary of Terms."

PROJECT INFORMATION

Project Name: Bureau of Engraving and Printing Replacement Currency Production Facility

City: Beltsville **County:** Prince George's **State:** MD

Lat/Long (decimal degrees; ex. *38.418310, -76.001096*)**:** 39.039281 -76.883935

Find Lat/Long via map

Size: 105 acres\miles

PROJECT CONTACT INFORMATION

Name: Charles Davis **Phone:** 202-578-8507

Address: 14th & C Street SW
Washington, DC 20228

Email: charles.davis@bep.gov

If your project has a Federal (ex. U.S. Army Corps), state (ex. PNDI), or other ID number, please list here: _____

PROJECT ACTIVITY CATEGORY(S)

Place a check next to all activities you plan to perform.

- [x] Construction and Development Activities → go to pages 5 - 7
- [ ] Maintenance and Restoration Activities → go to pages 8 - 9
- [ ] Timber Operation and Forestry Practices → go to page 10
- [ ] Use of Helicopters and Fixed-wing Aircraft → go to page 11
- [ ] Blasting and Other Loud, Intermittent Noises (including Fireworks) → go to page 12
- [ ] Recreational Activities → go to pages 13 – 14

Feedback? The Service is continuously looking to improve this form. If you have suggested changes, please feel free to email them to us at thomas_wittig@fws.gov. Include "Bald Eagle Project Screening Form – Feedback" in your subject line.

Construction and Development Activities

Which specific construction activities do you plan to perform? (check all that apply)

- [x] Building construction
- [x] Tree and land clearing
- [x] Construction of roads, trails, canals, power lines, pipelines and other linear utilities
- [ ] Agriculture or aquaculture – new or expanded operations
- [x] Alteration of shorelines or wetlands
- [ ] Installation of docks, piers, or moorings (pile driving may qualify as loud noise, page 12)
- [ ] Water impoundment or withdrawal
- [ ] Mining
- [ ] Oil and natural gas drilling and refining
- [ ] Wind farm construction
- [ ] Installation or expansion of marinas with a capacity of 6 or more boats
- [ ] Communications tower construction (excluding maintenance and repairs)

Is your activity similar to an ongoing or previous activity that coincided with the breeding season and that bald eagles tolerated? Consider both construction and use/operation of your project.

Consider all of the following elements/factors in answering:

-duration
-frequency
-time of day
-time of season
-visibility
-distance
-area/footprint
-magnitude
-nature

- [ ] Yes → No avoidance measures recommended. Go to self-certification (page 7).
- [x] No → Go to next question.

Will your activities be visible to the bald eagle nest(s)?

- [x] Yes → Stop. Implement Avoidance Measures (AM) 2, 4, and 5 (see page 7)
- [ ] No → Go to the next question

Which of these categories most closely matches your proposed project or activity?
(check all that apply)

☐ Building construction, 1 or 2 story, with a project footprint of ½ acre or less ☐ Construction of roads, trails, canals, power lines, or other linear utilities ☐ Agriculture or aquaculture – new or expanded operations ☐ Alteration of shorelines or wetlands ☐ Installation of docks or moorings ☐ Water impoundment or withdrawal ☐ Construction of communication towers **→ Implement AM 3, 4 and 5 (page 7)**	☐ Building construction or expansion, 3 or more stories ☐ Building construction or expansion, 1 or 2 story, with project footprint more than ½ acre ☐ Mining ☐ Oil and natural gas drilling and refining ☐ Installation or expansion of marinas with a capacity of 6 or more boats **→ Go to the next question**

Is there a similar activity within 1 mile of the nest?

☐ Yes → Implement AM 3, 4 and 5 (see page 7)

☐ No → Implement AM 1 and 5 (see page 7)

AVOIDANCE MEASURES - Place a check mark next to each avoidance measure (AM) that this form instructed you to implement and that you can commit to following. The Service recommends you follow the applicable AMs to prevent your activities from disturbing nesting bald eagles.

☐ AM 1 – Maintain a distance buffer of at least 660 feet (200 meters) between all project activities and the nest.

☒ AM 2 – Maintain a distance buffer of at least 660 feet (200 meters) between all project activities and the nest. If there is an existing human-made feature (e.g., house, road, dock) similar to your project that is closer than 660 feet and tolerated by the nesting eagles, maintain a distance buffer equal to or greater than the distance separating that tolerated feature and the nest.

☐ AM 3 – Maintain a distance buffer of at least 330 feet (100 meters) year-round between all project activities and the nest. If a similar activity (i.e., similar in kind and size) is closer than 330 feet and has been tolerated by eagles, the distance buffer will be the same or greater than that of the existing tolerated activity.

☒ AM 4 – Do not perform disruptive project activities within 660 feet (200 meters) of the nest during the breeding season. This time-of-year restriction is in addition to your recommended distance buffer. Disruptive activities include, but are not limited to, external construction, excavation, use of heavy equipment, use of loud equipment or machinery, vegetation clearing, earth disturbance, planting, and landscaping.

☒ AM 5 – Maintain existing landscape buffers that visually screen the activity from the nest.

Do you commit to following all recommended avoidance measures?

☒ YES I certify that I have completed this form to the best of my ability, answered all questions completely and accurately, and committed to implementing all applicable avoidance measures.

Charles C. Davis Digitally signed by Charles C. Davis Date: 2021.02.08 14:00:48 -05'00'

(signature) (date)

U.S. Fish and Wildlife Service Determination: Based on your responses and commitment to implementing all applicable avoidance measures, the Service has determined that your proposed activities are unlikely to disturb nesting bald eagles.

☐ NO – I am unable to follow one or more of the avoidance measures recommended by this form.

Go to page 15 for further instruction.

Maintenance and Restoration Activities

This category includes outdoor maintenance of existing structures or infrastructure, where the maintenance activity is temporary and obtrusive (e.g., requires use of heavy equipment or loud machinery), and within the previously disturbed footprint of the structure or infrastructure. If maintenance is proposed outside the previously disturbed footprint, see **Construction and Development Activities** (pages 5-7). This category also applies to the maintenance and restoration of natural habitats (e.g., wetlands, streams, rivers, non-forested uplands). This category does not include routine, ongoing activities to which bald eagles have already exhibited a tolerance (e.g., lawn mowing; plowing, planting or harvesting of agricultural fields; etc.).

Which maintenance or restoration activities do you plan to perform? (check all that apply)

- ☐ Maintenance of linear utilities (e.g., power lines, pipelines, water and sewer lines)
- ☐ Road, bridge, or culvert maintenance
- ☐ Trail, campground, or recreational area maintenance
- ☐ Maintenance of oil and gas wells, well pads, and storage tanks
- ☐ Maintenance of dams, levees, berms, canals and other water-control structures
- ☐ Pond, lake, or reservoir maintenance (draw downs, dredging)
- ☐ Stream or stream bank maintenance /restoration (e.g., stream bank fencing, stream bank stabilization, livestock crossings, in-stream habitat improvements, channel maintenance, dredging)
- ☐ Wetland maintenance / restoration (e.g., invasive plant control, restoration of hydrology)
- ☐ Prescribed burning for invasive control
- ☐ Upland habitat maintenance / restoration (e.g., planting or cutting of vegetation, invasive plant control, trash cleanup, abandoned mine lands restoration). This does not include activities in forests/woodlands (see **Timber Operation and Forestry Practices**) or in agricultural fields.

Is your activity similar to an ongoing or previous activity that coincided with the breeding season and that bald eagles tolerated? Consider both construction and use/operation of your project.

Consider all of the following elements/factors in answering:

-duration	-time of season	-area/footprint
-frequency	-visibility	-magnitude
-time of day	-distance	-nature

- ☐ Yes → No avoidance measures recommended. Go to self-certification.
- ☐ No → Go to Avoidance Measures.

AVOIDANCE MEASURES - Place a check mark next to each AM that you can commit to following. The Service recommends you follow these AMs to prevent your activities from disturbing nesting bald eagles.

☐ AM 6 - Within 660 feet (200 meters) of the nest, perform all loud and intrusive maintenance and restoration work outside the breeding season. These activities include, but are not limited to, the following: construction, excavation, use of heavy equipment, use of loud equipment or machinery, vegetation clearing, earth disturbance, planting, landscaping, and habitat restoration activities.

☐ AM 7 - Maintain existing landscape buffers that visually screen the activity from the nest.

☐ AM 8 - Do not perform prescribed burning within 660 feet (200 meters) of the nest during the breeding season. If there is no practicable alternative to scheduling prescribed burning during the breeding season, only conduct burns when adult eagles and young are absent from the nest tree (i.e., at the beginning of, or end of, the breeding season, either before the particular nest is in use or after the young have fledged from that nest).

☐ AM 9 - When performing prescribed burning within the drip line of the nest tree, rake leaves, vines, and woody debris from around the base of the tree to prevent fire from climbing the tree. When burning within a patch of forest containing the nest tree, take precautions to prevent crown fire.

Do you commit to following all recommended avoidance measures?

☐ YES – I certify that I have completed this form to the best of my ability, answered all questions completely and accurately, and committed to implementing all applicable avoidance measures.

_____ _____

(signature) (date)

U.S. Fish and Wildlife Service Determination: Based on your responses and commitment to implementing all applicable avoidance measures, the Service has determined that your proposed activities are unlikely to disturb nesting bald eagles.

☐ NO – I am unable to follow one or more of the avoidance measures recommended by this form.

Go to page 15 for further instruction.

Timber Operation and Forestry Practices

AVOIDANCE MEASURES - Place a check mark next to each AM that you can commit to following. The Service recommends you follow these AMs to prevent your activities from disturbing nesting bald eagles.

☐ AM 10 – Do not perform clear-cutting or overstory tree removal within 330 feet (100 meters) of the nest at any time of the year.

☐ AM 11 - During the breeding season, do not perform timber harvesting, road construction, chain saw use, or yarding operations within 660 feet (200 meters) of the nest. Around alternate nests (including nests that were attended during the current breeding season but not used to raise young), you may reduce this distance to 330 feet (100 meters), provided the eggs laid in another nest within the nesting territory have hatched.

☐ AM 12 – Do not construct or operate log transfer facilities and in-water log storage areas within 330 feet (100 meters) of nests at any time of the year.

☐ AM 13 – Do not perform selective thinning, prescribed burning, or other similar silviculture practices for the enhancement or conservation of habitat within 660 feet (200 meters) of the nest during the breeding season. If there is no practicable alternative to scheduling prescribed burning during the breeding season, only conduct burns when adult eagles and young are absent from the nest tree (i.e., at the beginning of, or end of, the breeding season, either before the particular nest is active or after the young have fledged from that nest).

☐ AM 14 – When performing prescribed burning within the drip line of the nest tree, rake leaves, vines, and woody debris from around the base of the tree to prevent fire from climbing the tree. When burning within a patch of forest containing the nest tree, take precautions to prevent crown fire.

Do you commit to following all recommended avoidance measures?

☐ YES – I certify that I have completed this form to the best of my ability, answered all questions completely and accurately, and committed to implementing all applicable avoidance measures.

_____ _____

(signature) (date)

U.S. Fish and Wildlife Service Determination: Based on your responses and commitment to implementing all applicable avoidance measures, the Service has determined that your proposed activities are unlikely to disturb nesting bald eagles.

☐ NO – I am unable to follow one or more of the avoidance measures recommended by this form.

Go to page 15 for further instruction.

Use of a Helicopter and Fixed-wing Aircraft

Is your activity similar to an ongoing or previous activity that coincided with the breeding season and that bald eagles tolerated?

Consider all of the following elements/factors in answering:

-duration	-time of season	-area/footprint
-frequency	-visibility	-magnitude
-time of day	-distance	-nature

☐ Yes → No avoidance measures recommended. Go to self-certification.

☐ No → Go to Avoidance Measures.

AVOIDANCE MEASURES - Place a check mark next to each AM that you can commit to following. The Service recommends you follow this AM to prevent your activities from disturbing nesting bald eagles.

☐ AM 15 - During the breeding season, do not fly within 1000 feet (305 meters) of bald eagle nests.

Do you commit to following all recommended avoidance measures?

☐ YES – I certify that I have completed this form to the best of my ability, answered all questions completely and accurately, and committed to implementing all applicable avoidance measures.

_____ _____

(signature) (date)

U.S. Fish and Wildlife Service Determination: Based on your responses and commitment to implementing all applicable avoidance measures, the Service has determined that your proposed activities are unlikely to disturb nesting bald eagles.

☐ NO – I am unable to follow one or more of the avoidance measures recommended by this form.

Go to page 15 for further instruction.

Blasting and Other Loud, Intermittent Noises (including Fireworks)

Is your activity similar to an ongoing or previous activity that coincided with the breeding season and that bald eagles tolerated?

Consider all of the following elements/factors in answering:

-duration	-time of day	-distance
-frequency	-time of season	-volume

☐ Yes → No avoidance measures recommended. Go to self-certification.

☐ No → Go to Avoidance Measures.

AVOIDANCE MEASURES - Place a check mark next to each AM that you can commit to following. The Service recommends you follow this AM to prevent your activities from disturbing nesting bald eagles.

☐ AM 16 - During the breeding season, do not perform blasting and other activities that produce extremely loud noises within 1/2 mile (800 meters) of in-use nests. This measure also applies to the use of fireworks classified by the Federal Department of Transportation as Class B explosives, which includes the larger fireworks intended for licensed public display.

Do you commit to following all recommended avoidance measures?

☐ YES – I certify that I have completed this form to the best of my ability, answered all questions completely and accurately, and committed to implementing all applicable avoidance measures.

_____ _____

(signature) (date)

U.S. Fish and Wildlife Service Determination: Based on your responses and commitment to implementing all applicable avoidance measures, the Service has determined that your proposed activities are unlikely to disturb nesting bald eagles.

☐ NO – I am unable to follow one or more of the avoidance measures recommended by this form.

Go to page 15 for further instruction.

Recreational Activities

Is your activity similar to an ongoing or previous activity that coincided with the breeding season and that bald eagles tolerated?

Consider all of the following elements/factors in answering:

-duration	-time of season	-area/footprint
-frequency	-visibility	-magnitude
-time of day	-distance	-nature

☐ Yes → No avoidance measures recommended. Go to self-certification.

☐ No → Go to next question

Will your recreation occur during the breeding season?

☐ Yes → Go to Avoidance Measures.

☐ No → No avoidance measures recommended. Go to self-certification.

AVOIDANCE MEASURES – For each applicable recreational subcategory, place a check mark next to the AMs you can commit to following. The Service recommends you follow the applicable AMs to prevent your activities from disturbing nesting bald eagles.

Non-motorized recreation and human entry (including hiking, camping, fishing, hunting, canoeing)

☐ AM 17 - Stay at least 330 feet (100 meters) from the nest if you walk, bike, canoe, camp, fish, or hunt near an eagle nest during the breeding season and your activity will be visible or can be heard from the nest.

Off-road vehicle use (including snowmobiles)

☐ AM 18 - Stay at least 330 feet (100 meters) from the nest. In open areas, where there is increased visibility and exposure to noise, stay at least 660 feet (200 meters) from the nest.

Motorized watercraft use (including jet skis/personal watercraft)

☐ AM 19 - Do not operate jet skis (personal watercraft) or airboats within 330 feet (100 meters) of the nest.

☐ AM 20 - Avoid concentrations of noisy vessels (e.g. commercial fishing boats and tour boats) within 330 feet (100 meters) of the nest, except where eagles have demonstrated tolerance for such activity.

☐ AM 21 - For all motorized boat traffic within 330 feet (100 meters) of the nest, minimize trips and avoid stopping in the area, particularly where eagles are unaccustomed to boat traffic.

Do you commit to following all recommended avoidance measures?

☐ YES – I certify that I have completed this form to the best of my ability, answered all questions completely and accurately, and committed to implementing all applicable avoidance measures.

_____ _____

(signature) (date)

U.S. Fish and Wildlife Service Determination: Based on your responses and commitment to implementing all applicable avoidance measures, the Service has determined that your proposed activities are unlikely to disturb nesting bald eagles.

☐ NO – I am unable to follow one or more of the avoidance measures recommended by this form.

Go to page 15 for further instruction.

-- SEEK FURTHER GUIDANCE --

You have indicated that you are unable to implement all the recommended avoidance measures. Without all avoidance measures, your activities may risk disturbing nesting bald eagles.

Consult with your regional eagle coordinator to determine the appropriate next steps. The Service will work with you to help develop alternate measures to avoid disturbance of nesting bald eagles. If there are no feasible alternate measures, the Service may advise that you obtain an eagle incidental take permit to relieve you of legal liability in the event that your activities unintentionally disturb nesting bald eagles.

Contact your regional eagle coordinator (Tom Wittig) for assistance at thomas_wittig@fws.gov

When emailing, please include in your subject line "[Your project name] – SCREENING FORM FURTHER GUIDANCE." In the body of your message, include

-a brief description of your project, including its location and when you plan to start;

-the activity category(s);

-the ID number(s) (e.g., AM 5) of the Avoidance Measure(s) you are unable to implement; and

-the nest location(s), if available.

To see the Service's eagle incidental take permit application form, go to

https://www.fws.gov/forms/3-200-71.pdf

For answers to Frequently Asked Questions on this form, go to

https://www.fws.gov/migratorybirds/pdf/policies-and-regulations/3-200-71FAQ.pdf

The Service advises you talk with your regional eagle coordinator before deciding to apply.

APPENDIX A

Bald Eagle Breeding Season by State

State	Breeding Season
VA	December 15 – July 15
DC	December 15 – July 15
WV	January 1 – June 30
MD	December 15 – June 30
DE	December 15 – June 30
PA	January 1 – July 31
NY	January 1 – September 30
NJ	January 1 – July 31
RI	January 1 – July 31
CT	January 1 – July 31
MA	January 1 – August 15
VT	February 1 – August 15
NH	February 1 – August 15
ME (coastal)	February 1 – August 15
ME (northern)	March 1 – August 30

APPENDIX B

State Mapping Resources

Connecticut

Contact state
Brian Hess, CT DEEP
Brian.Hess@ct.gov

Delaware

Contact state
Katie Kadlubar, Delaware Division of Fish & Wildlife
Kathryn.Kadlubar@delaware.gov

DC

Contact National Park Service
Mikaila Milton, NPS
mikaila_milton@nps.gov

Maine

https://www.arcgis.com/apps/webappviewer/index.html?id=796b7baa18de43b49f911fe82dc4a0f1

Maryland

https://marylandbirds.org/report-bald-eagle-nest/

Massachusetts

Contact state
Andrew Vitz, MassWildlife
Andrew.vitz@state.ma.us

New Hampshire

Contact state
https://www2.des.state.nh.us/nhb_datacheck/signin.aspx

New Jersey

Contact state
https://www.nj.gov/dep/parksandforests/natural/heritage/datareq.html

New York

Contact state
https://www.dec.ny.gov/animals/31181.html

Pennsylvania

https://fws.maps.arcgis.com/apps/webappviewer/index.html?id=87ac96536654495b9f4041d81f75d7a0

Rhode Island

Contact state
DEM.DFW@dem.ri.gov

Vermont

Contact state
https://vtfishandwildlife.com/conserve/development-review

Virginia

https://www.ccbbirds.org/maps/#eagles

West Virginia

Contact state
Rich Bailey, WVDNR
Richard.S.Bailey@wv.gov

Please note that maps are not exhaustive records of all nests within that state.

APPENDIX C

Guide to Nest Identification

Is it a bald eagle nest? Because bald eagle populations have grown so rapidly in recent years, not every bald eagle nest is registered to an online map or known to wildlife management agencies. As a result, project screening form users may occasionally have to make their own assessment of whether the nest near their project or activity is a bald eagle nest. Users should be cautious in making these determinations. Bald eagle nests can easily be confused with nests of other large birds such as osprey.

This guide will help landowners and project proponents assess whether a nest belongs to bald eagles or another species. It describes for readers the most commonly encountered large nests in the Northeast, with several reference figures for bald eagle nests, and provides tips for telling nest types apart. Any user who reads this guide and still feels uncertain about what type of nest they have encountered should contact their regional eagle coordinator for further guidance.

Common types of large nests.

Bald Eagle

The most notable aspect to a bald eagle nest is generally its size. Bald eagles build some of the largest nests in the world, with most nests around 5 feet in diameter and 3 feet in height (Fig. 1). Nests can grow well beyond these dimensions (Fig. 2), as bald eagles tend to repair and expand their nests each year and can use individual nests for decades. Bald eagle nests are mainly composed of large interwoven sticks. Nests will also have a soft interior bowl made up of materials such as hay, cornhusks, and grass clippings. However, this portion of the nest is rarely visible to human observers. The shape of bald eagle nests varies; they can take the general form of flat discs, inverted cones, cylinders (Fig. 2), or spheres (Fig. 3).

Bald eagles typically place their nests in prominent trees that sit above the surrounding forest canopy. These nest trees will often be on hillsides, lake and ocean shorelines, riverbanks, and forest edges. Nests are generally in the top third of a tree, below the crown, secured in a prominent fork off the main trunk (Fig 4.). Bald eagle nests can be in living deciduous (Fig. 3-4) and coniferous trees (Fig. 1), or dead trees (snags; Fig. 5). Within the Northeastern U.S., bald eagles use a wide range of tree types, including white pines, loblolly pines, tulip poplars, sycamores, oaks, and cottonwoods. Despite their common perception as an emblem of wilderness, bald eagles are also increasingly nesting on human-made structures such as electric transmission towers (Fig. 6) and communication towers.

Osprey

Osprey build large stick nests that can look quite similar to bald eagle nests. In general, osprey nests are smaller, flatter, more disorganized, and more often composed of unnatural materials, such as bailing twine and plastic bags. Osprey also show a stronger preference than bald eagles for human made structures, regularly nesting on light polls, channel markers, and cell towers. When osprey do select a natural support for their nest, it tends to be the topmost part of dead trees, in contrast to bald eagles, which seek out slightly lower portions of trees.

The best clue to which species occupies a nest, osprey or bald eagles, is who shows up. Bald eagles arrive back at their nests earlier in the year than osprey, but by late spring, both species are usually attending their nests. At this time of year, watching a nest over a period of hours will generally reveal which species is using it. However, through fall and early winter, both species are usually away from their nests. During these seasons, the only immediate sources of information on nest will be the physical details described above and online mapping resources.

In addition to the state maps for bald eagles listed in Appendix C, Osprey Watch (http://www.osprey-watch.org/) provides a mapping database of osprey nest locations. As with the bald eagle mapping resources, this map is thorough, but does not represent all existing nests.

Red-Tailed Hawk/Red-Shouldered Hawk

Generally around 1.5 feet wide and 2 feet tall, nests of red-tailed hawks and red-shouldered hawks are less than one-half the size of bald eagle nests. The individual sticks in these hawk nests also tend to be smaller, with diameters of about 1-2 inches. Overall appearance of these nests can be slightly more frayed and chaotic than that of bald eagle nests. Like bald eagles, both hawk species show a tendency towards nesting in upper portions of prominent trees. Red-tailed hawks also share bald eagle's occasional preference for human made structures such as cell towers and transmission towers.

Common Raven

Common ravens construct stick nests that vary substantially in size, from 1.5 to 5 feet across and from little over 0.5 to 2 feet high. The sticks making up the main structure of these nests can be around 3 feet in length and 1 inch in diameter. Ravens place their nests in a variety of natural and developed settings. Raven nests are easily confused with bald eagle nests when located on cell towers, transmission towers, or in trees. When situated in trees, these nests are usually in the upper portion of the tree in a crotch of the main tree stem. The best means of telling raven and bald eagle nests apart are likely size and shape; raven nests are noted for occasionally being asymmetric, and even at their larger sizes, they still tend to be smaller than bald eagle nests.

Great Horned Owl

In addition to nesting in tree cavities, great horned owls also frequently use the former nests of other animals, including squirrels, ravens, crows, and herons. The size and nature of a great horned owl nest therefore depends on the nest's original creator. Red-tailed hawk may be the most common source of nests for great horned owls in the Northeast. However, great horned owls will also occasionally take over bald eagle nests.

Heron

Herons nest in colonies known as "rookeries" where many nests are present; individual heron nests are rare. Multiple nests can be present in one tree and some nests may be located relatively high up or far out on branches. Nest sites are usually near water. Heron nests are mainly composed of sticks, and are flat and broad, often resembling a thin platform. Nests used for several years may grow taller and wider. Heron nests can give off a general impression of messiness or flimsiness.

Squirrel

Squirrel nests can reach basketball size or larger. They are distinguished from bird nests mainly by their materials, which include leaves and other soft vegetation material (e.g., grasses), and very few sticks. They are usually round shaped, and often look messy.

Legal definitions and protections for eagle and migratory bird nests.

Eagle Nests

BGEPA protects eagle nests in same manner it protects eagles; they cannot be destroyed, possessed, or relocated without a permit from the Service, which the Service only provides under a limited set of circumstances. Regulation defines an eagle nest as "any assemblage of materials built, maintained, or used by bald eagles or golden eagles for the purpose of reproduction" (50 CFR 22.3). A nest is an eagle nest if it was built by or ever used by eagles, even if other species of birds played a role in the nest's history. For example, if osprey build a nest and eagles take that nest over, legally, the nest is an eagle nest. Alternatively, if great horned owls begin to use a nest originally built by eagles, that nest remains an eagle nest for as long as it exists. An eagle nest also retains protection regardless of where it was built, whether it was ever finished or successful, or when it was last used. Additionally, BGEPA's protections apply regardless of the nest's size and condition.

Migratory Bird Nests

The Migratory Bird Treaty Act (MBTA) protects migratory bird nests in the many of the same ways that BGEPA protects eagle nests. Unless a permit is in place, migratory bird nests cannot be possessed or relocated at any time or intentionally destroyed while active. One notable difference between MBTA and BGEPA is MBTA's standard on inactive nests. If a migratory bird nest is inactive, meaning it does not contain viable eggs or chicks, it can be destroyed without a permit. (Note: the

terms ‘active’ and ‘inactive’ here are different from the ‘in-use’ and ‘alternate’ standards used for eagle nests [see Appendix E for definitions].) For more information, please read the Service’s 2018 Nest Destruction Memo. Bird species protected under MBTA are listed under regulation at 50 CFR 10.13. Additional protections not described here apply to any migratory bird species listed under the Endangered Species Act. Tribal, state, and local laws may also place greater restrictions on the destruction of migratory bird nests.

Figure 1.

Figure 2.

Figure 3.

Figure 4.

Figure 5.

Figure 6.

APPENDIX D

Similar Activity Example Exercise

What is the purpose of this appendix? This appendix provides project screening form users with an example of how to assess the similarity between two activities. By reading through this example, landowners and project proponents can develop a better sense of what factors they should consider when answering the question of whether their activity is similar to an ongoing or previous activity tolerated by eagles.

In the example scenario, a proposed residential construction project is compared to previous farming activity. The example starts with an overview of the historic farming activity, nest, and proposed project; then goes through a full assessment, set up in table format; and finally closes with a summary of the determination and explanation of how that determination would influence completion of the form.

What is the scenario?

Previous/Existing Activities

The project site is a large agricultural field that was farmed nearly every year for the past two decades. Human activity at the site was limited to occasional operation of heavy farm equipment. The broader area out to one mile includes other agricultural fields and medium density residential and commercial development.

Nest Location & History

Five years ago, a pair of bald eagles constructed a nest in a cottonwood located in the hedgerow bordering the agricultural field. The pair were unsuccessful in their first year, but fledged young from the nest each of the following four years up to present. Workers observed that the pair did not respond to operation of farming equipment, but became vigilant whenever an equipment operator stepped outside their vehicle.

Project Narrative

The proposed project will convert portions of the existing agricultural field to a residential development with 30 single-family homes, which places it under the screening form's Construction and Development category. Construction will require extending water, sewage, and electrical utilities and adding a small network of residential streets. Preparing each lot will involve grading, home and driveway construction, and landscaping. Ten acres of property near the nest will be signed over as a conservation easement.

Factor	Previous/Existing Activity: Farming	Proposed Activity: Construction	Similar?
NATURE	Heavy equipment preparing field, planting, and harvesting crop. Two-three workers, generally confined to closed cab tractors.	Twenty workers either in heavy equipment or on foot. Ground disturbance. Placement/extension of utilities. Landscaping. Construction of 20 homes.	No
HISTORY	Farming activity predated nesting and continued while eagles successfully fledged young from the nest. This success demonstrates the eagles tolerated the farming.	N/A	Yes
DISTANCE	Distance between farming activity and the nest tree was essentially 0 feet; the hedgerow in which the nest is located bounds the agricultural field.	Nearest lot boundary will be 400 feet from nest. Area between home and nest will be converted conservation easement and left in passive, natural state.	Yes
TIMING	Farming activity began in March and continued through October each year.	Proposed schedule is April through October.	Yes
DURATION	The field was generally worked for one to two days at time, from sunrise to sundown.	On days of construction activity, work will occur during standard business hours.	Yes
FREQUENCY	Intermittent. Farming occurred in stages (e.g., fertilizing, plowing, harvesting) and events were often separated by weeks or months.	Continuous. Work will occur most weekdays and occasionally on weekends.	No
NOISE	Farming equipment (e.g., tractor) generated loud noises within the range of 80 – 100 decibels.	Construction will not require blasting or pile driving. Construction equipment (e.g., backhoes) will generate loud noise within the range of 80 – 95 decibels.	Yes
VISBILITY	High. Because the field was flat and there was no vegetation other than the hedgerow, practically all farming activity was visible to the nest.	High. There will be no topography or vegetation screening view of construction. Visibility will only begin to lower once exterior walls are put up.	Yes

Final Assessment & Conclusion

The proposed construction activity is different from the historic farming activity in general nature and frequency. Construction will require more workers and more equipment, operating at greater intensity and higher frequency. Because of these differences, the construction cannot be considered similar to the historic farming activity, and it cannot be assumed that the breeding pair will tolerate the activity. Avoidance measures will be necessary to reduce the likelihood of disturbing the nest.

Having made these conclusions, the form user would mark 'No' to the question on page 5 of whether the activity was similar to an ongoing or previous activity. Then, at the next question the user would mark 'Yes' because the project would be visible to nest over the open intervening space. At that point, the form would direct them to implement AMs 2, 4, and 5. The project design, as proposed, would not meet AM 2, the 660-foot buffer. The user's options then would be to revise the project to eliminate the portions within 660 feet of the nest and sign the self-certification, or check no on the commitment to follow all recommended AMs and seek further guidance.

APPENDIX E

Limitations of This Form

This project screening form is not a permit or authorization to disturb bald eagles. It does not free you from legal liability under BGEPA. Rather, this form provides instruction on how to minimize the legal risk of disturbing nesting bald eagles.

The effectiveness of this form depends on the accuracy and completeness of your answers and your compliance with the avoidance measures. Using this form inappropriately may put you at risk of disturbing nesting bald eagles and violating BGEPA.

This form's recommendations are specific to the Northeast and may not be effective outside this region. If your project is in another area of the U.S., do not use this form. Instead, consult with your regional eagle biologist or migratory bird permit office for guidance matched to your locality.

This form only relates to managing activities near bald eagle nests. It does not provide direction on how to avoid disturbing bald eagle communal roosts and concentration areas, which, compared to nest sites, have different biological significance to eagles and present different sets of concerns. If you believe your activities have any potential to affect a communal roost or concentration area, consult the Guidelines document for guidance.

Conditions such as the location and existence of nests and surrounding habitat are subject to change between years. For this reason, the Service recommends revisiting your determinations every breeding season after completing this form until your project is complete. The more time that passes between when you complete this form and when you end your activities, the more likely it is that conditions will change enough that your original determinations no longer apply.

This form only addresses nesting bald eagles. To identify other USFWS-managed resources and suggested conservation measures for your project, go to https://ecos.fws.gov/ipac/.

Wind energy developers seeking to address potential take of eagles should use this form in conjunction with the Service's Eagle Conservation Plan Guidance. Use of this form alone will not assure wind projects' compliance with BGEPA's protections on disturbance or other take.

Certain states and localities have their own laws, regulations, and guidelines for protecting bald eagles and their nests. Completing this form does not guarantee that you are also in compliance with these other standards and/or regulations. If you are unfamiliar with your state and local standards, consult with the appropriate agencies and authorities.

You are responsible for ensuring that your activities comply with all applicable Federal, tribal, State, and local laws and regulations. This form will only help you in your compliance with BGEPA and its protections on the nesting activity of bald eagles.

APPENDIX F

Glossary of Terms

Alternate nest – one of potentially several nests within a nesting territory that is not an in-use nest at the current time. When there is no in-use nest, all nests in the territory are alternate nests. Also sometimes referred to as an inactive nest (e.g., in the Service's 2009 Eagle Rule).

Communal roost – an area where eagles gather repeatedly in the course of a season and shelter overnight and sometimes during the day in the event of inclement weather.

Disturb – to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.

In addition to immediate impacts, this definition also covers impacts that result from human-caused alterations initiated around a previously used nest site during a time when eagles are not present, if, upon the eagle's return, such alterations agitate or bother an eagle to a degree that injures an eagle or substantially interferes with normal breeding, feeding, or sheltering habits and causes, or is likely to cause, a loss of productivity or nest abandonment.

Eagle nest – any assemblage of materials built, maintained, or used by bald eagles or golden eagles for the purpose of reproduction.

Fledge – to leave the nest and begin flying. For bald eagles, this normally occurs at 10-12 weeks of age.

In-use nest – a bald or golden eagle nest characterized by the presence of one or more eggs, dependent young, or adult eagles on the nest in the past 10 days during the breeding season. Also sometimes referred to as an active nest.

Landscape buffer – a natural or human-made landscape feature that screens eagles from human activity (e.g., strip of trees, hill, cliff, berm, sound wall).

Nest abandonment – nest abandonment occurs when adult eagles desert or stop attending a nest and do not subsequently return and successfully raise young in that nest for the duration of a breeding season. Nest abandonment can be caused by altering habitat near a nest, even if the

alteration occurs prior to the breeding season. Whether the eagles migrate during the non-breeding season, or remain in the area throughout the non-breeding season, nest abandonment can occur at any point between the time the eagles return to the nesting site for the breeding season and the time when all progeny from the breeding season have dispersed.

Nesting territory – the area that contains one or more eagle nests within the home range of a mated pair of eagles, regardless of whether such nests were built by the current resident pair.

Northeast – Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Delaware, Virginia, West Virginia, and the District of Columbia.

Project footprint – the area of land (and water) temporarily or permanently altered by a project.

Tolerate – the acceptance of specific human activities by eagles at the nest site. Demonstrated in the eagles' continued ability to successfully feed, breed, and shelter, and the general absence of stress or agitation in their behavior.

[redacted]

Subject: FW: BEP EIS Bald Eagle coordination - Consultation Code: 05E2CB00-2020-TA-1366
Attachments: USFWS Overview of the proposed Bureau of Engraving and Printing.docx; BEP_Bald Eagle Impacts_1.jpg; BEP_Bald Eagle Impacts_2.pdf; BEP_Bald Eagle Impacts_3.pdf

From: Wittig, Thomas W <[redacted]>
Sent: Thursday, February 18, 2021 9:43 AM
To: Wetmore, Marisa L CIV USARMY CENAB (USA) <[redacted]>
Subject: [Non-DoD Source] Re: [EXTERNAL] Bald Eagle coordination - Consultation Code: 05E2CB00-2020-TA-1366

Hello Marisa,

Thank you again for your patience.

The additional materials you've provided further support that the proposed project is unlikely to affect the bald eagles' ability to forage and thrive at the nesting site 0.6 miles to the southeast. As you previously referenced, the bald eagles will continue to have access to the area's streams. These eagles may also be foraging on some of the smaller ponds and waterbodies, such as Greenbelt Lake Park, located within 1-2 miles of the nest. Based on the footprint and scope of the project, access to these foraging areas will also be unaffected.

Please let me know if you have any questions or if I can provide further assistance.

Best,
Tom

From: Wetmore, Marisa L CIV USARMY CENAB (USA) <[redacted]>
Sent: Wednesday, February 17, 2021 9:03 AM
To: Wittig, Thomas W <[redacted]>
Subject: RE: [EXTERNAL] Bald Eagle coordination - Consultation Code: 05E2CB00-2020-TA-1366

Tom,

Great, thank you for the update! I'll look for your response hopefully by tomorrow.

Thanks!
Marisa

_____
Marisa Wetmore
Biologist
USACE Baltimore District, Planning Division
Office: [redacted]
Work Cell: [redacted]

From: Wittig, Thomas W <[redacted]>
Sent: Tuesday, February 16, 2021 6:13 PM

To: Wetmore, Marisa L CIV USARMY CENAB (USA) <[redacted]>
Subject: [Non-DoD Source] Re: [EXTERNAL] Bald Eagle coordination - Consultation Code: 05E2CB00-2020-TA-1366

Hi Marisa,

Sorry for my slow response! I will try to get back to by this Thursday with further guidance.

Thank you,
Tom

From: Wetmore, Marisa L CIV USARMY CENAB (USA) <[redacted]>
Sent: Tuesday, February 9, 2021 1:58 PM
To: Wittig, Thomas W <[redacted]>
Subject: RE: [EXTERNAL] Bald Eagle coordination - Consultation Code: 05E2CB00-2020-TA-1366

Hi Tom,

Please find attached an overview of the project and 3 figures that show some of the natural resource features and the locations of the project site and known Bald Eagle nest. Please let me know if you need any further information.

Thanks!
Marisa

_____
Marisa Wetmore
Biologist
USACE Baltimore District, Planning Division
Office: [redacted]
Work Cell: [redacted]

From: Wittig, Thomas W <[redacted]>
Sent: Tuesday, February 9, 2021 10:26 AM
To: Wetmore, Marisa L CIV USARMY CENAB (USA) <[redacted]>
Subject: [Non-DoD Source] Re: [EXTERNAL] Bald Eagle coordination - Consultation Code: 05E2CB00-2020-TA-1366

Hi Marisa,

I think a map and very basic narrative would enough information for me to provide some additional input.

Thank you,
Tom

From: Wetmore, Marisa L CIV USARMY CENAB (USA) <[redacted]>
Sent: Tuesday, February 9, 2021 9:50 AM
To: Wittig, Thomas W <[redacted]>
Subject: RE: [EXTERNAL] Bald Eagle coordination - Consultation Code: 05E2CB00-2020-TA-1366

Hi Tom,

Thank you for the explanation. Based on this information, it seems that this project will not significantly impact the eagles' foraging, as the local creek will not be altered and any discharges from the project will be within the limits set by

the MDE wastewater treatment plant permit. We will also be removing some dead and some live trees on our project site, but we'll be replanting trees and will try to maintain some of the wetlands, meadow, and forest edge habitat.

With that being said, we would welcome your review of the project details to make sure that there aren't any additional considerations regarding foraging or additional recommended management measures. Please let me know what information would be most useful to you. We have a draft Environmental Impact Statement that went out for public review at the end of 2020 if you'd like that level of detail, or we could just provide mapping and a narrative of basic project details.

Thanks!
Marisa

_____

Marisa Wetmore
Biologist
USACE Baltimore District, Planning Division
Office: [redacted]0
Work Cell: [redacted]

From: Wittig, Thomas W <[redacted]>
Sent: Tuesday, February 9, 2021 7:37 AM
To: Wetmore, Marisa L CIV USARMY CENAB (USA) <[redacted]>
Subject: [Non-DoD Source] Re: [EXTERNAL] Bald Eagle coordination - Consultation Code: 05E2CB00-2020-TA-1366

Hi Marisa,

Unlike the Endangered Species Act, there are no special habitat designations under the Eagle Act. The Service only regulates bald eagle habitat in the indirect sense that we advise against habitat modifications that may harm eagles' survival and breeding productivity, two things the Eagle Act *does* expressly protect.

Regarding foraging habitat, the goal of management is to ensure 1) that bald eagles continue to have a consistent food source, and 2) that they continue to have the ability to effectively hunt that food. In practice, the first goal generally means making sure that there continues to be waterbodies and rivers with healthy fish populations. The second goal can be understood as maintaining eagles' functional access to food sources by retaining perches (i.e., live and dead trees) where eagles can scan for prey and feed. If you're retaining these two habitat elements, your project is unlikely to impact foraging habitat to a degree that disturbs eagles.

I'd be happy to look over your project details and provide a more specific assessment if that would still be helpful.

Thank you,
Tom

From: Wetmore, Marisa L CIV USARMY CENAB (USA) <[redacted]>
Sent: Monday, February 8, 2021 4:46 PM
To: Wittig, Thomas W <[redacted]>
Subject: RE: [EXTERNAL] Bald Eagle coordination - Consultation Code: 05E2CB00-2020-TA-1366

Hi Tom,

I was able to complete the project screening form and we've self-certified compliance with the appropriate avoidance and minimization measures. The only remaining question I have is regarding foraging areas. Our project is well outside the required buffer area around the known bald eagle nest; however, we received some concerns from the public that our project will impact potential foraging areas for the bald eagles. Is there any guidance or required/recommended mitigation measures regarding potential foraging areas within a certain vicinity of a known nest? I didn't see this addressed in the project screening form.

Thanks!
Marisa

_____

Marisa Wetmore
Biologist
USACE Baltimore District, Planning Division
Office: [redacted]
Work Cell: [redacted]

From: Wittig, Thomas W <[redacted]>
Sent: Monday, February 1, 2021 8:35 AM
To: Wetmore, Marisa L CIV USARMY CENAB (USA) <[redacted]>
Subject: [Non-DoD Source] Re: [EXTERNAL] Bald Eagle coordination - Consultation Code: 05E2CB00-2020-TA-1366

Hello Marisa,

I recommend checking out our Northeast Bald Eagle Project Screening Form, which is based on the Guidelines document Craig referenced. It allows to you self-certify your compliance with applicable avoidance and minimization measures.
https://www.fws.gov/northeast/ecologicalservices/pdf/eagle/NE_Bald-Eagle_Project-Screening-Form_rev20200416.pdf

Please let me know if you have any questions.

Thank you,
Tom

From: Koppie, Craig <[redacted]>
Sent: Friday, January 29, 2021 9:53 AM
To: Wetmore, Marisa L CIV USARMY CENAB (USA) <[redacted]>
Cc: Wittig, Thomas W <[redacted]>
Subject: Re: [EXTERNAL] Bald Eagle coordination - Consultation Code: 05E2CB00-2020-TA-1366

Marisa,

I suggest you contact Tom Wittig who is the Eagle Permit biologist for our Region. He can provide guidance regarding potential eagle nest disturbance during development activities and if a time-of-year restriction is warranted. He is cc'd in this email. You will need to provide a project description and nest location (distance) to the project area. However, per the Service's National Bald Eagle Nest Management Guidelines, if the project is distanced at or further than 660-foot from the nest, no further consultation would be required. This is the scenario for the Beltsville Ag Research Center but please contact Tom for assistance. Thank you, Craig

From: Wetmore, Marisa L CIV USARMY CENAB (USA) <[redacted]>
Sent: Monday, January 25, 2021 3:49 PM
To: Koppie, Craig <[redacted]>
Subject: [EXTERNAL] Bald Eagle coordination - Consultation Code: 05E2CB00-2020-TA-1366

Good afternoon Craig,

I'm working on the NEPA effort for a planned construction project at the Beltsville Agricultural Research Center. Initial consultation for this project through the IPaC system was completed under Consultation Code: 05E2CB00-2020-TA-1366, Event Code: 05E2CB00-2020-E-04180, Project Name: Construction and Operation of a Currency Production Facility.

During the public comment period for the draft EIS, we received comments concerning the size of our Region of Influence (ROI) for project impacts to biological resources, particularly as it relates to a known bald eagle nest approximately 0.6 miles south of the property. As a result of this, we'd like to consult with USFWS to determine if we've appropriately addressed potential impacts to bald eagles and to determine if the project proponent will need to take any additional actions to avoid impacts to bald eagles.

Is this something you could assist with? If not, is there someone else within USFWS that you could direct me to that may be able to assist? Any guidance would be appreciated.

Thanks!
Marisa

_____
Marisa Wetmore
Biologist
USACE Baltimore District, Planning Division
Office: [redacted]
Work Cell: [redacted]