Conducting Proposed Endangered Resources Reviews: A Step-by-Step Guide for Certified ER Reviewers

This document is intended as guidance for Certified ER Reviewers reviewing proposed projects and land management activities for potential impacts to endangered resources.

This is a guidance document; all mandatory requirements contained herein are references to requirements found in statute or administrative rule. This document does not establish or affect legal rights or obligations, and is not finally determinative of any of the issues addressed. This guidance document, alone, may not be used to grant or deny an application of an individual for an approval or otherwise affect a person outside the Department. It cannot be relied upon in litigation with the State of Wisconsin or the Department of Natural Resources (DNR) and does not create any rights enforceable by any party in such litigation. Any regulatory decisions made by the DNR in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.

Endangered Resources Review Program
Wisconsin Department of Natural Resources
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USFWS Bloomington Field Office (TwinCities@fws.gov) for consultation regarding federally-protected species

Emergencies

If an emergency situation arises, please follow these guidelines:

An emergency is defined as an actual or imminent threat of significant harm to the environment or to public health or safety for all or a portion of a project. Contact the Endangered Resources Review Program at DNRERReview@wisconsin.gov for guidance on these types of projects. The program can provide helpful guidance that may allow take of endangered resources to be avoided or minimized during the emergency action.

If the emergency action can be modified to accommodate endangered resources while handling the emergency, it should be.

In situations where there may be impacts to federal species or critical habitat, the US Fish and Wildlife Service (USFWS) Ecological Services Office in Bloomington MN should be contacted to discuss ways to avoid or minimize the effects of the emergency response action.

Once the emergency action has been carried out, if there is reason to believe that take of endangered resources may have occurred, please notify the ER Review Program. If a determination is made that a federal species or critical habitat has been adversely affected, formal consultation with the USFWS will need to occur.

NHI Training

Sharing Natural Heritage Inventory (NHI) information with internal and external partners helps further the Bureau's mission by empowering customers and partners to incorporate consideration of endangered resources into their planning and decision making. To serve the needs of our customers, the NHI Program has created a two-tier training approach based on how the NHI data will be used. Endangered resources issues are often complex to identify and address, and the training helps provide the necessary steps in these processes. Many people and resources are also available to help you, and they are highlighted throughout this document and in Appendix A. Please don't hesitate to ask when you have questions.

NHI Training Website for authorized users to register: https://dnr.wi.gov/topic/erreview/nhitraining.html

The NHI Training is broken into two tiers. If you need a NHI Data Sharing License only the on-line Authorized User training is required. After taking this training you are considered an Authorized NHI Data User. To become a Certified ER Reviewer in-person Certification Training is required. **Please note that a NHI Data Sharing License is needed to access the NHI data once you become a Certified ER Reviewer. This involves a separate annual fee.**

1) The on-line Authorized User Training provides information on the Wisconsin NHI Program and the Wisconsin Endangered Species Law, how to access NHI data via the web-based NHI Portal, and outlines resources for additional information about protected species and habitats.
2) The in-person Certification Training covers information from the introductory NHI training as well as provides detailed guidance and information on understanding and interpreting NHI data, how to write a Proposed ER Review, recommending measures for avoiding and minimizing impacts to rare species and habitats, guidance for when to contact species experts, and training on how to use the NHI Portal. The training acknowledges and addresses that in many cases 'correct' interpretation and application of NHI data is complex and variable. It provides applicants with the skills and tools they need to develop recommendations for avoiding impacts to endangered resources associated with land disturbing, management and development activities.

Section 7 Projects – U.S. Fish and Wildlife Service

The federal Endangered Species Act (ESA) directs all Federal agencies to work to conserve endangered and threatened species and to use their authorities to further the purposes of the ESA. Section 7 of the ESA, called "Interagency Cooperation," is the mechanism by which Federal agencies ensure the actions they take, including those they fund or authorize, do not jeopardize the existence of any listed species. Projects that fall under Section 7 are those in which federal assistance (funding or technical assistance) or a federal permit is involved. More information about Section 7 is available online at the USFWS Section 7 website.

If you have a Section 7 project (i.e., federal funding, assistance or permit is involved), please refer to the online USFWS Section 7 Step-by-step Consultation Process and contact the DNR Section 7 Consultation Coordinator (Rori Paloski, 608-264-6040) for additional information (e.g., the Section 7 documentation form) and help with the consultation process.

IMPORTANT: Because of new USFWS requirements, all Section 7 projects must be reviewed for potential endangered resources concerns using the DNR Natural Heritage Inventory (NHI) Portal and IPaC website of federally protected species in Wisconsin. The latter is a specific requirement of the Section 7 process.

Frequently-Asked Questions about Proposed Endangered Resources Reviews

What is an Endangered Resources (ER) Review? An ER Review is a formal letter from the ER Review Program to the requestor which provides information from Wisconsin's Natural Heritage Inventory (NHI) database and other sources on rare plants and animals (including state and federally-listed species), high quality natural communities, and other endangered resources that may be impacted by the proposed project. The ER Review includes recommendations to help projects comply with Wisconsin's Endangered Species Law (s. 29.604, Wis. Stats.), the Federal Endangered Species Act, and other laws and regulations protecting endangered resources.

What is a Proposed ER Review? A Proposed ER Review is just that – a proposed ER Review completed by a Certified Reviewer in the NHI Portal. All Proposed ER Reviews are sent to the ER Review Program for DNR review and approval (a step required by Wisconsin's Endangered Species Law) even if there are no endangered species impacts. The final product, once approved by the DNR, is an ER Review letter.

Please keep in mind *that reviewing a project for endangered resources concerns does not exempt any party from the requirements of state or federal endangered species laws. If a violation occurs, the person responsible for the taking is the liable party. Generally, this is the landowner or project partner.*

The Wisconsin Endangered Species Law (s. 29.604, Wis. Stats.) requires the protection of Wisconsin's endangered and threatened species. Take is prohibited as follows without a taking permit or authorization from DNR:

Animals: The law prohibits take of endangered and threatened animals on all lands and waters in the state.

Plants: The law prohibits take of endangered and threatened plants on public lands except in the course of forestry or agricultural practices, in the construction, operation, or maintenance or a utility facility, or as part of bulk sampling activities under s. 295.45.

Why do proposed projects need to be reviewed for endangered resources using this process? Reviewing projects for endangered resources using this process helps to ensure that both state and federal endangered species laws (see boxes) are being properly applied by each ER Certified Reviewer. Following this process also helps to ensure that all Certified Reviewers are providing consistent and correct information to customers, regardless of which certified individual conducts the proposed review.

What kinds of projects need to be reviewed? Any project that has the potential to impact endangered resources should be reviewed. This includes projects that may affect the species *directly* as well as projects that may *indirectly* affect or result in take of the species (e.g., via impacts to lands, wetlands, or waterbodies that are likely to support listed species). Generally, this means all land and water management, development, and planning projects should be reviewed. Examples include (but are not limited to) commercial, residential, industrial, utility, transportation, and other types of development projects; land and habitat management projects (e.g., prescribed fire, mowing, timber harvest), and community and land use planning initiatives. In addition, we recommend that an ER Review be conducted for any project that will be funded or approved by the DNR or another state agency to facilitate and speed the permitting/granting process.

The **Federal Endangered Species Act (ESA) of 1973 as amended** requires the protection of federally-listed endangered and threatened species and listed critical habitat. Section 9 of the ESA prohibits take as follows without a permit or authorization from USFWS:

Animals: Take of federally-listed endangered and threatened animals is prohibited on all lands and waters.

Plants: It is unlawful to remove and reduce to possession federally-listed endangered and threatened plants on lands under federal jurisdiction, to maliciously damage or destroy any such species on any such area, or to remove, cut, dig up, damage or destroy any such species on any other area in knowing violation of any law or regulation of any state or in the course of any violation of a state criminal trespass law.

Federally-funded projects have additional review and documentation requirements. Please see page 4 and contact the DNR Section 7 Coordinator for guidance. You may be required to review the project for potential impacts to federally-protected resources even if the activity will occur indoors and/or will not disturb lands or waters of the state.

Why consider endangered resources that are not protected by endangered species laws?
The review process is intended to be used broadly as a tool to identify and avoid or minimize potential impacts to *all* rare or sensitive resources- both those that are protected by endangered species laws and those that are not. Often, species not specifically protected by endangered species laws may be protected by other means (see box). Examples of endangered resources that are not legally protected by endangered species laws include **1)** state- and federally-listed plants where the law exempts plants from protection (see boxes on page 5), **2)** Special Concern species, **3)** high-quality or rare examples of natural communities, and **4)** other significant natural features tracked by the Wisconsin Natural Heritage Inventory (e.g., animal aggregation sites).

Other laws, policies and programs that protect endangered resources

There are a number of other laws, policies, and permitting processes which may require or strongly encourage protection of endangered resources that are not legally protected by state and federal endangered species laws, including Special Concern species, high-quality examples of natural communities (sometimes called High Conservation Value Areas) and other resources. In some cases, these other laws, policies, and processes may also provide an additional level of protection for state- and federally-listed species. Relevant laws, policies, and permitting processes include (but are not limited to):

- Migratory Bird Treaty Act
- Bald and Golden Eagle Protection Act
- Special master planning designations (applies to DNR lands)
- Forest Certification (applies to DNR lands and some private lands, including those enrolled in the Managed Forest Law program)
- State Natural Areas (s. 23.28, Wis. Stats.).
- Protected Wild Animals (s. 10.02, Wis. Adm. Code).
- DNR Permits and approvals (e.g., the public interest test for Chapter 30 Wetland and Waterway permits)
- National Environmental Protection Act (NEPA) and Wisconsin Environmental Protection Act (WEPA), both of which require consideration of potential impacts to endangered resources in the decision-making process for activities subject to these laws

Maintaining high-quality natural communities helps protect valuable areas of genetic and biological diversity, as well as important habitats for many of Wisconsin's rare species. Consideration of Special Concern species is an important part of ecosystem management, and preventing these species from becoming endangered or threatened is important to the state's overall biodiversity as well as the Department's mission. In addition, the costs of conserving Special Concern species are much lower than the costs of recovering species once they have declined to the point of listing.

Certified ER Reviewers are encouraged to incorporate protection for Special Concern species, natural communities, and natural features in their project activities, and should encourage project partners to consider the same through the identification of voluntary conservation measures that project partners can choose to incorporate into their projects. If their importance is explained, project partners are often willing to protect these important resources and identify practical, economically-feasible protection measures.

Who should conduct the proposed review? Only ER Certified Reviewers who have completed the necessary training and have passed all required exams can conduct a Proposed ER Review.

It is often helpful to recommend that the project partner request an ER Review early in their planning process and prior to submitting their permit or grant application, even if the project will be reviewed later by DNR permit or grant staff. Submission of a formal ER Review with a permit application often helps facilitate and shorten the permit review process. Examples of situations where this is particularly helpful include projects where preliminary screening has identified a possible endangered resources concern, projects requiring an Environmental Assessment or Environmental Impact Statement, and projects that are proposed in moderate to high-quality habitat where rare species are likely to occur.

When should projects be reviewed? The proposed endangered resources review should be completed well in advance of when the project is scheduled to begin (e.g., one year) so that you can identify and plan for any seasonal limitations and allow time for any field surveys that may need to be conducted during a specific time of year (e.g., during the breeding or growing season).

What about projects that don't require a DNR permit? Projects that are not conducted, funded, or approved by DNR are still subject to state and federal endangered species laws. It is important to note that projects with no other local, state, or federal permits are also still legally responsible for impacts to endangered and threatened resources. Certified Reviewers should encourage project partners to request an ER Review to give them the information they need to comply with endangered species laws.

What about projects conducted, funded or permitted by other state agencies? Other state and federal agencies are required by Wisconsin's Endangered Species Law to consult with the DNR regarding all proposed activities that they conduct, approve, or fund that may affect state-listed species. Agencies whose actions may impact endangered resources should contact the ER Review Program to identify the best mechanism for review of their projects. In many cases, the most straightforward solution may be to require that project partners request and submit a formal ER Review of the proposed project with their permit application.

What is the most common outcome of a proposed review? Most often, Certified Reviewers along with DNR oversight will be able to identify measures by which projects can proceed while still complying with endangered species laws. Usually this is accomplished by following specific avoidance measures identified in Step 4. In cases where this is not possible, there are several options that can be considered (see Step 4).

What should I do if the project is modified or delayed after I conduct the proposed review? Proposed projects should be re-reviewed if any of the following occur:

- more than 1 year passes from when the project was initially reviewed,
- the project changes (e.g., clearing or site preparation is scheduled to start at a different time of year, the scope or disturbance footprint changes, the construction schedule or sequence changes), OR
- there is reason to believe that new information may exist (e.g., a local biologist indicates new records have been found).

Use the renew feature in the NHI Portal to see if any species were added, removed, or if there was a status change in any of the species. This will give project partners the best assurance of project compliance with state and federal endangered species laws.

What should I do if new data come to light after the proposed project has been reviewed? Occasionally, new endangered resources information for the project area may come up late in the review process or even after the review has been completed. While the DNR makes every effort to enter endangered resources data into the NHI Portal as soon as possible, occasionally new information will be available through a species expert, recent surveys, or another source. These data should be considered of equal importance to data from the NHI Portal for the purposes of the review because they inform the Department's determination of whether or not take is likely to occur. The best way to minimize such 'surprises' is to consult with the ER Review Program as part of the initial review process.

Can I share NHI data with the public? Yes and no. Location-specific records in the NHI database are sensitive because many rare species are vulnerable to collection, disturbance, and/or destruction. Making these species' locations known to the public may threaten their continued existence. Accordingly, **NHI data are exempt from the Wisconsin Open Records Law, and you may not share specific location information**. However, you do have several options for communicating rare species and natural community information to the public:

1) You can refer the public to the generalized NHI County Data by Township. These pages provide a list of endangered resources by township for each county in the state, are available to all users free of charge on our website, and will serve most general planning, assessment, and information needs.

2) In most cases you can provide township-level locations to the public for a specific rare species, natural community, or natural feature (collectively referred to as elements). For example, you may tell a member of the public that 'Redfin shiners have been recorded from Lowell Township.' Please note, however, that there are some elements that are *particularly vulnerable* to collection and disturbance. Location information for some of these sensitive elements needs to be generalized to the county level. Please see the Sensitive Species list in your Toolkit for more information

3) You can provide section-level information to the public as long as you generalize the element. For example, you may tell a member of the public that 'A rare bird is recorded from Section 14 of Lowell Township.'

4) If an individual or organization you are working with needs more specific information, please have them contact the ER Review Program. The Program shares detailed NHI data with individuals and organizations outside the DNR for specific authorized purposes through formal NHI Data Licenses. Please see our website for more information.

Who should I ask when I have questions about conducting Proposed ER Reviews? Call one of the Certification Coordinators any time you have questions.

Understanding the Information and Data that Inform Proposed Endangered Resources Reviews

Endangered resources reviews are based on three major pieces of information: 1) project details, 2) site and habitat information, and 3) Natural Heritage Inventory (NHI) data. We discuss each briefly to give you a better understanding of its role in informing a proposed endangered resources review.

1. Project Details

In order to provide the best information on how to comply with endangered species laws, the Certified ER Reviewer needs to have clear and specific information on the proposed activities. This information is gathered in Step 1.

The next two types of information and data are used together to give the reviewer the most comprehensive picture of endangered resources that may be present on site. This approach is often called ***the suitable habitat approach****. In essence, the suitable habitat approach means that if the project site supports habitat suitable for a rare species that is known from or likely to occur in the site or surrounding area, then the site may also support that species. This approach is the foundation for determining which endangered resources need to be considered in reviewing a proposed project.*

2. Site and Habitat Information

The location of the site, the current habitat on the site, and the habitat and resources surrounding the site (e.g., rivers, wetlands, forest) determine in large part which rare species and natural communities may be present on the site. This information is gathered in Step 1 and could include site photos and/or aerial photos.

3. Natural Heritage Inventory Data

The Wisconsin Natural Heritage Inventory (NHI) database contains the most complete information available on the locations of rare species (including both state and federally-protected species), high-quality natural communities and unique natural features in Wisconsin. The NHI database is accessed through a secure external web application that connects to the NHI Portal. NHI data are also available as GIS files for individuals and organizations with NHI Data Licenses.

It is important to have a good understanding of the NHI data (and their limitations) prior to conducting endangered resources reviews.

- **Absence of evidence is not evidence of absence.** The NHI database is not all inclusive; systematic surveys of most public lands have not been conducted and the majority of private lands have not been surveyed for endangered resources. Occurrences are only in the NHI database if a site was surveyed for that species or group during the appropriate season or an observation was made, reported and verified. Thus, **the absence of records in the NHI database for a particular site does not mean that no rare species occur at the site**. In addition, **a record of occurrence for one species does not imply that surveys were conducted for other species**. It is for this reason that NHI Portal results should be supplemented with other endangered resources information and data, if available, when conducting endangered resources reviews.

- **Older Records (Last Observation Date).** Most records in the NHI database include a "last observation" field, which indicates the date the element was most recently observed at the site. The oldest records in the Wisconsin NHI database date back to the mid 1800s, and **it is inappropriate to disregard or assign lesser importance to these records simply because of their age.** For example, a record with a "last observation" date of 1955 indicates an element was last recorded at that site in 1955, but it does NOT mean that the site has been regularly surveyed since 1955 without relocating the species. If the site had been resurveyed with a negative result, the 'Detailed EO Data' would be updated accordingly (i.e., "1955 - species found during surveys, 1975 - site resurveyed but species not re-located").

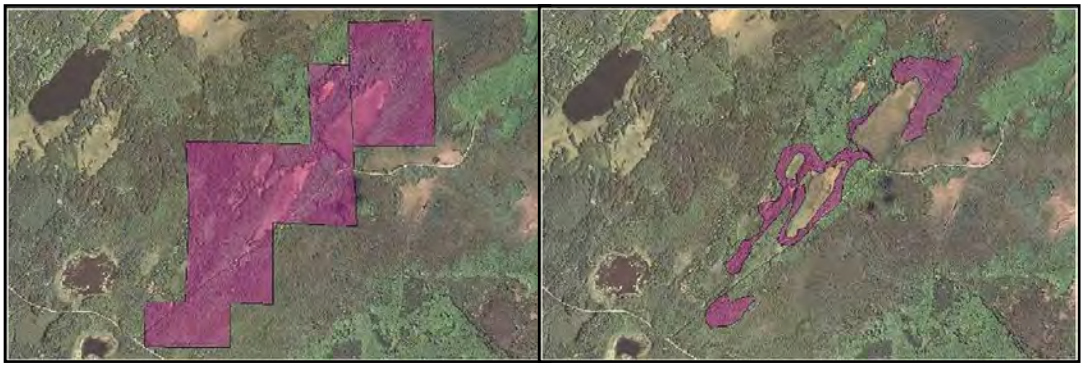
  Multiple surveys are generally required before a species can be declared absent from a site. Records are only removed from the NHI Portal when the element was either misidentified or is no longer being tracked. **As a result, all**

older records listed in your NHI Portal printout must be considered valid and examined further. The reviewer should always look at the details of the NHI records (including the last observation date, precision, and detailed notes), habitat/site information, project details, and other endangered resources information to determine which endangered resources are likely to be impacted by the project.

- **General Precision Records.** Each record in the NHI database includes a "Precision" (mapping precision) field, which indicates how precisely the element was mapped. (It does **not** indicate the size of the area in which the species is found). Precision ranges from 'Seconds' (indicating that the location is accurate to within 200 feet) to 'General' (indicating that the location is mappable only to a 5-mile radius). General precision records serve as indicators of elements that might be present within an area if suitable habitat exists. **All general precision records listed in your NHI Portal printout must be considered valid and further examined.** The reviewer should always look at the details of the NHI records (including the last observation date, precision, and detailed notes), habitat/site information, project details, and other endangered resources information to determine which endangered resources are likely to be impacted by the project.

- **Understanding 'shapes' in the NHI database and how they have changed over time.** The Wisconsin NHI database was first developed in the late 1980s, pre-dating modern GIS technology. In the mid 1990s, the NHI Program added a GIS component and derived polygons from the tabular components of the database to represent existing records. For the next several years, spatial representations for rare species locations were based on units of the Public Land Survey System (PLSS), with the smallest possible unit being the 40-acre 'quarter-quarter section.' As software technology advanced, the NHI Program began using new tools for tracking Element Occurrence data, providing users with a much higher level of precision. Spatial representations for modern records are based on either specific points or shapes that are digitized by hand, utilizing information such as air photos and GPS data. Spatial data for records mapped since 2002 (or older records that have since been refined) are much easier to interpret, as they more closely reflect the actual locations of the elements. However, *PLSS-based records still comprise a large portion of the NHI database.* As a result, it is very important to use the **suitable habitat approach** rather than relying on the geographic representations of the data. Figure 1 illustrates an example of an older natural community record that has been refined using current tools. Although it is an extreme example, it illustrates the importance of proper data interpretation.

Figure 1. Example older natural community record in the NHI database that has been refined using current mapping tools.



The Endangered Resources Review Process

Reviewing a proposed project for potential endangered resources concerns is essentially a five-step process:

1. Gather initial information about the project and the site
2. Compile list of endangered resources to consider
3. Determine if species are likely to be present on site and which are considered protected
4. Determine if the proposed activity is likely to impact endangered resources present on site and if impacts can be avoided
5. Submit Proposed ER Review for final review and approval.

This document walks you through each step, providing links to resources and contact people along the way.

Please keep the following in mind as you review proposed ER Reviews . . .

- Conducting Proposed ER Reviews is a **science-based process** that relies on the best available scientific information about rare species and natural communities supplemented by professional judgment of the certified individuals conducting the Proposed ER Review and the DNR staff providing technical support for the process and review of the document. Following the steps in this guidance is necessary to achieve consistency and transparency in the process and products.
- Identifying and addressing endangered resources issues is often complex. The training provided as part of ER Certification will give you a solid foundation. Many people and resources are available to help you in this process, and they are highlighted throughout this document. Please don't hesitate to ask when you have questions!
- The ER Program takes a **precautionary approach** to identifying and addressing endangered resources issues. In essence this means two key things. 1) There is an inherent (and legal) need to anticipate harm before it occurs, and 2) There is a need to act cautiously to prevent such harm, even in the absence of scientific certainty. This approach is particularly relevant to endangered resources, given the lack of data available for many rare species and the known vulnerability of many rare species to many different types of disturbance.
- The Proposed ER Review should consider not only the **direct** effect of an action on endangered resources, but also the **indirect** effects. The extent to which indirect and cumulative effects need to be considered (in addition to direct effects) depends on a variety of factors, including the endangered resources present (e.g., consideration of all 3 types of effects is required for federally-listed species), the applicable laws (e.g., WI Endangered Species Law, Federal ESA, NEPA, WEPA), and the nature of the project. Importantly, the definitions of indirect and cumulative effects differ for each law. Generally speaking, when federal species are involved and/or when a review under NEPA and/or WEPA is required, a broader perspective will be needed. Please contact the Endangered Resources Review Program if you have questions related to compliance with NEPA, WEPA, or the Federal ESA.
- The steps outlined here are designed to help projects avoid take of listed species and thus comply with endangered species laws. However, the ER Program's goal is higher: to conserve Wisconsin's rare species and high-quality natural communities for present and future generations. Please encourage interested landowners to contact us if they would like information on actions they can take to help conserve Wisconsin's biodiversity.

Step 1: Gather initial information

A. Ensure that the requester is authorized to receive NHI information.

- NHI data are considered sensitive for several reasons, especially if there is a potential threat to rare species when their specific locations are publicly known. In addition, the presence of rare species on a property may have real or perceived impacts on the value or potential uses of a property. Because of the sensitivity of the data, the state legislature specifically exempted NHI information from the state's open records law. Accordingly, it is the policy of the ER Program to provide ER Reviews only to the owner, authorized representative of the owner, utility representative of the property, or other party with express permission from the landowner to receive this information. ***The reviewer must have a signed statement from the requester to this effect in their project file.***

B. Is your project covered under the Broad Incidental Take Permit/Authorization (BITP/A) for no/low impact activities?

- Check to see if your project activities are described in Table 2 (remember this table also includes all activities listed in Table 1). This table can be found in the Toolkit.
- If your project activity is covered then a formal ER Review does not need to be conducted in the NHI Portal.
    - Fill out the ER Review Verification Form and use the submit by email button or add the project to the Annual Reporting Form. If you choose to use the Annual Reporting Form then remember to submit it along with your annual certification report (there will be a reminder on the form).
    - If your project needs a DNR permit then submit the ER Review Verification Form with your permit application to show a formal review is not necessary.

C. Gather information about the project and the site.

Depending on the type of project to be reviewed, you may want to refer to (or request from the project partner, applicant, or landowner) some or all of the following information:

- A detailed description of the proposed project and the type, timing, and extent (acreage) of all associated disturbances/activities, including any known or suspected impacts to nearby wetlands and waterbodies.
- A topographic map and/or digital orthophoto (aerial photo) clearly delineating the project area.
- A detailed description of the habitat types and current land use within the project site. This should be as specific as possible; for example, “50% row crops, 20% floodplain forest, 15% industrial, 10% hardwood swamp dominated by black ash, 5% fallow field”. Ideally each area should be outlined on a map of the site.
- Site plans and project site photos that clearly show natural features and vegetation present on site.
- Any reports that describe the habitat that may be affected by the proposed project (e.g., wetland delineation, habitat reconnaissance surveys, rare species surveys, previous ER Reviews).

⟶ Click the blue ‘Save Project Area & Continue Review’ button. Fill out the ‘Project Information’ section in the portal. Click ‘Save and Continue’. Then, proceed to Step 2.

Step 2: Compile list of endangered resources to consider

A. Conduct a search in the NHI Portal

1. Create your project area in the NHI Portal by using either a line or a polygon to draw the project boundary. You can also upload a shapefile.

2. The NHI Portal default buffer option will automatically display records from the search area along with terrestrial and wetland species within 1-mile and aquatic species within 2-miles of the site. As you are looking at the records (called Element Occurrences or EOs) in the NHI Portal, you should give equal consideration to records from the site and records from the appropriate buffer area surrounding the site. This will give you the best picture of species and natural communities that may be present on the site if suitable habitat exists.

3. If your project is in upland habitat *and* **900 feet** away from a wetland or waterbody you have the option to click on the box under where you enter the project title. By doing this only terrestrial species will come up in your results. You can reference topo maps, aerial photos (orthophotos), WI Wetland Inventory and/or project related information to help make your decision. Use the measuring tool in the portal to help! Do not check the box if you are uncertain or do not have the appropriate information to make this determination.

   Tip: to identify what species are represented within or outside the buffer, click on a colored polygon and you will be able to identify the exact EO.

B. If there is a federal nexus (federally funded, federally permitted and/or on federal land) for the project keep in mind that the following species are not in the NHI Portal. *This information does not need to be submitted to the review program.*

There are federally-protected species that occur in Wisconsin for which there is no information available in the NHI Portal. If, based on the habitat descriptions below, you believe your proposed project site may contain habitat for any of these species, please refer to the USFWS IPaC website for federally protected species by county. If this list indicates that the species may be present in the county, please contact the USFWS Bloomfield MN Field Office for further guidance.

Canada Lynx: The distribution of lynx in North America is closely associated with the distribution of North American boreal forest. In the eastern US, the range of lynx populations extends south from the classic boreal forest zone into the boreal/hardwood forest ecotone. Within these general forest types, lynx are most likely to persist in areas that receive deep snow and have high-density populations of snowshoe hares, the principal prey of lynx. More information is available on the USFWS website. *While no resident populations of Canada lynx are known from Wisconsin, the species occasionally occurs in northern forested areas. Counties listed are those with the highest likelihood of occurrence.*

Whooping Crane: Whooping cranes are territorial birds and do not readily tolerate disturbances to themselves or their habitat. Each pair requires several hundred acres of undisturbed wetlands for nesting. The one common feature uniting the vast majority of confirmed sightings of whooping cranes in migration is the proximity to wetlands that provide an open, undisturbed expanse for nightly roosting. Feeding cranes seen in migration are frequently found within short flight distances of reservoirs, lakes, and large rivers that offer bare islands for nightly roosting. This habit of using sand or gravel bars in rivers and lakes for nightly roosting appears to be one of the major factors in crane habitat selection. During fall migration, whooping cranes seem to feed more extensively in recently harvested grain fields. More information is available on the USFWS website.

The Eastern Migratory Population of whooping cranes is listed under the federal Endangered Species Act as a Nonessential Experimental Population (NEP), meaning that take of the species within the NEP area is not a violation of the Endangered Species Act when such take is accidental, unavoidable, and not the purpose of the carrying out of an otherwise lawful activity.

Mead's Milkweed: Mead's milkweed requires moderately wet (wet-mesic) to moderately dry (dry-mesic) upland tallgrass prairie or glade/barren habitat characterized by vegetation adapted for drought and fire. It persists in stable

late-successional prairie. More information is available on the USFWS website. *All known Mead's milkweed sites in Wisconsin are reintroduction attempts and occur on protected conservation lands.*

Rufa Red Knot: This species migrates through the state and does not have any known breeding populations within Wisconsin.

⟶ If there are no (zero) element occurrences of any endangered resources in the project area and surrounding buffer your project is covered under the Broad incidental take permit and authorization (BITP/A) for no or low impact activities.

⟶ Fill out the 'ER Review Verification Form' and use the Submit by Email button to send the form to our program. Preferred method of reporting.

If you have a long list of projects, fill out the 'BITP/A for No/Low Impact Activities--Annual Report Form'. Remember you will need to submit this information with your annual reporting.

Refer to the ER Certification Toolkit for these forms.

If you are applying for another DNR permit please include the ER Review Verification with the application materials.

⟶ Otherwise, proceed to Step 3.

Step 3: Determine which species are considered protected and likely to be present on site

A. Determine which resources are protected on the site.

Consider land ownership (e.g., public or private lands), project funding (e.g., federal funding) and the type of activity being proposed along with the information below to determine which resources are legally protected on site.

- Federally-protected species include those federally-listed as endangered or threatened and their designated critical habitats. Federally-listed animals are protected on all lands and waters. Federally-listed plants are only protected on federal lands or where federal funding is being used.

- State-listed animals are protected on all lands and waters. State-listed plants are protected on public lands* only, but they are not protected on these public lands during the course of forestry or agricultural practices, in the construction, operation, or maintenance of a utility facility**, or as part of bulk sampling activities under s. 295.45. Please contact us if you need clarification on which projects qualify as forestry, agriculture, or utility operations or a bulk sampling activity.

  *s. 70.13(7): Public lands' as used in this subsection shall mean lands owned by the United States of America, the state of Wisconsin or any political subdivision of this state.
  **Utility definition: "Utility" is defined as the production, transmission, delivery, or furnishing of electrical power, light, heat, water, natural gas, sewer, or telecommunication services. It does not include petroleum pipelines.

- Formally *designated* State Natural Areas (SNAs) are legally protected from any use that is inconsistent with or injurious to their natural values. *Dedicated* SNAs are protected even further and hold the strongest form of land protection available in Wisconsin (s. 23.28 and 23.29, Wis. Stats.).

- If the project will occur on federal or tribal lands, please contact the Certification Coordinator or ER Review Program for more information about protection of endangered resources on federal lands and different types of tribal lands.

Special Concern species, high-quality natural communities, natural features (e.g. caves and animal aggregation sites), federal candidate and proposed species, as well as Nonessential Experimental Populations are not legally protected by state or federal endangered species laws. **However, other laws, policies (e.g., related to Forest Certification or master planning) or granting/permitting processes may require or strongly encourage protection of resources not formally protected by state or federal endangered species laws (see box on page 6).**

A note on elements not formally protected by state or federal endangered species laws: The NHI Portal will automatically include all endangered resources (regardless of legal status) in your search results, and will identify the legal status of each of the elements in the search. You will then need to determine which resources are protected for the project based on your granting or permitting process(es), and other relevant laws and policies.

We encourage you to identify and implement voluntary measures to protect all endangered resources to help prevent future listings and protect Wisconsin's biodiversity.

B. Determine if species are present (or likely to be present) on your site.

Once you've compiled site and habitat information, produced a list of species/element records from the NHI Portal, and compiled other endangered resources information and data, it's time to figure out what might actually be present on your site. The key is determining if suitable habitat is present on your site for each species/element.

*For some species, the DNR has developed **species-specific screening guidance** on how to assess whether the species is likely to occur on your site when there is a record from the surrounding area. Check the Species Screening Guidance web page to see if species-specific screening guidance exists for species on your list. If not, follow the steps below.*

1. **Look up habitat requirements/preferences** for species on your list based on information and links in the NHI Portal. Click on the name to open its individual webpage. Links to other online resources for each element are included on its webpage. Appendix A lists other helpful resources and publications.

2. **Determine if suitable habitat is present on site** for each species. A good understanding of current site conditions is essential for determining if suitable habitat is present on site for a species. Site photos submitted by the applicant are often the best and easiest was to assess current habitat on site. Aerial photos are available in the NHI Portal and high-resolution aerial photos at websites such as Bing or Google maps are often key. If you need help interpreting the site photos, maps, or aerial photos, email or call the Review Program for help. We can often determine if suitable habitat exists for a specific species by taking a look at the location and site/aerial photos. You may also need to ask the landowner or property manager for more information about the site or visit the site.

3. If there are older and/or lower precision records and there still appears to be suitable habitat on site, look at the 'EO data' and 'General Description' fields for the record to see if any more recent information is available.

4. **Make a determination about whether a species is likely to occur on your site**. If there is a record of the species on or near the site, the species is known or suspected to still exist in the area, and suitable habitat is present on the site, *the species may be present on the site*.

5. **If you are unable to make a determination** about a species and you think it could be impacted by the project, you should inform the project proponent that they have three options:

    a. They can proceed assuming that the species is present and take all needed precautions.

    b. They can elect to gather more information by having a **habitat assessment and/or species survey conducted**. Contact the Certification Coordinator to recommend that either a habitat assessment or species survey be conducted. Both will need to be conducted by a qualified biologist approved by the Endangered Resources Program, and specific protocols may be required.

    c. They can have surveys conducted to determine if the species is *absent* from the site. Design and protocols for surveys to determine species absence will need to be reviewed and approved by the Endangered Resources Program, and multiple surveys may be needed.

⟶ If you have determined that the proposed activity is not expected to impact any endangered resources from your portal search results, choose the 'No impact' option in the portal review for each species and pick a reason from the drop down box.

⟶ Copy and paste language from the document 'Template Language for Endangered Resource Reviews' into the additional comments box to provide further justification for your determination of no impact.

⟶ Proceed to Step 5.

⟶ Otherwise, proceed to Step 4.

Step 4: Determine if the proposed activity is likely to impact endangered resources present on site and if impacts can be avoided

The foundation for this step is anticipating what the project impacts will be, where those impacts will occur, and how they will overlap with suitable habitat for species/elements known or suspected to be present on site. Steps 1-3 were designed to help you gather this information in preparation for thinking about how the project may be able to avoid take of endangered resources.

A. Assess whether the proposed project activities may cause impacts to endangered resources that <u>are not</u> prohibited by endangered species laws. (This step is encouraged, and may be required by other laws, programs, or policies)

1. Are the proposed activities reasonably likely to negatively impact legally-protected species, but fall short of actual 'take'? For example, might the activity temporarily or permanently reduce the quantity or quality of habitat available to a state- or federally-listed animal?
2. Are the proposed activities reasonably likely to impact a species, natural community or natural feature that is not legally protected by endangered species laws?

    i. **Identify minimization measures, for rare species, natural features, or high-quality natural communities that are not legally protected by endangered species laws**. You can use the same measures as below for legally protected species, however these measures are recommended, not required.

B. Assess whether the proposed project activities are likely to impact <u>legally</u> protected species.

Once you've determined what is likely to be present on the site (Step 2 and 3), you need to determine whether the project as proposed is *likely to impact* each species/element. This information will set the stage for thinking about possible avoidance measures for the project. Use the questions below and your professional judgment and knowledge of the local resources to assess whether each species/element is likely to be impacted by the project. If you're not sure, you're not alone. These decisions involve knowledge of species and natural communities that are rare and about which relatively little is known. There are many people available to help you. Please contact the Certification Coordinators whenever you have questions.

1. <u>Project factors</u>: What type of project is it (e.g., power line, stream crossing, subdivision, timber harvest, telecommunications tower)? What types of disturbance will occur (e.g., mowing, clearing, tree removal, construction of access roads)? When will disturbance begin, and for how long will it continue? What will the construction sequence be?
2. <u>Location</u>: Will the proposed activity occur in suitable habitat for the species? For example, will the project disturb or affect specific areas and types of habitat within the site that are suitable for the species/element in question? Does the species use the same habitat at all times of the year, or does habitat use vary (e.g., foraging habitat, nesting habitat, overwintering habitat)? If semi-aquatic, how far from the water does the species range at different times of year?
3. <u>Timing</u>: Is the species migratory? If so, during what period is it present in Wisconsin? Is the species active all year, or only during certain periods of the year? Are there periods in which adults or young are particularly vulnerable to disturbance (e.g., spawning season, breeding season, nesting period)? For nesting species, during what period does the species have eggs or young in the nest?
4. <u>Other</u>: For plants, will the proposed activity occur on lands and during the course of an activity *not* exempted from state or federal endangered species laws (see boxes on page 5)?

Considering 1-4, can you avoid impacts, or is <u>take of a state-listed species</u> reasonably likely to occur?

- '**Take**' for <u>state-listed species</u>: shooting, shooting at, pursuing, hunting, catching, or killing any wild animal; or cutting, rooting up, severing, injuring, destroying, removing or carrying away any wild plant

Considering 1-4, is take of a federally-protected species or its critical habitat reasonably likely to occur? *Note that for Section 7 projects, determine if the project 'may affect' a federally-protected species or its critical habitat. See page 4 for more information.*

- '**Take**' for federally-listed species: to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct. '**Harm'** is further defined to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing behavioral patterns such as breeding, feeding, or sheltering. '**Harass'** is defined as actions that create the likelihood of injury to listed species to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding, or sheltering.

i. Identify avoidance measures for species and habitats legally protected by endangered species laws.

For some species, the DNR has developed standard avoidance measures that can be implemented for most projects to avoid take of these species. Check the Species Screening Guidance web page to see if guidance exists for the species. If not, follow the steps below.

Avoidance Measures for state-listed species are measures or modifications to the project that could be implemented to allow the project to proceed without resulting in take of the species.

Avoidance measures for federally-protected species and habitats are measures taken to avoid adverse direct and/or indirect effects to the species, and are determined through consultation with USFWS.

Identify measures by which project activities could avoid impacts to or contact with rare species such that take would not occur. Avoidance measures often include avoiding disturbance of suitable habitat during certain periods of the year when rare species are present and/or particularly vulnerable to disturbance, modifying the project to avoid disturbance of specific habitats, or moving the project to a different part of the existing site. Here are a few examples of common types of avoidance measures that are used for different taxa groups:

- **Rare Fish**: The Non-game Fish Habitat Information web page outlines spawning periods for rare fish. During this period, eggs are particularly sensitive to water quality and sedimentation. Major erosion or sedimentation events during this period can smother eggs, resulting in take. In many cases, 1) avoiding major ground disturbance near the water body during the spawning period in combination with 2) strict erosion prevention measures throughout the entire ground disturbance period of the project and 3) adequate stormwater runoff management on an ongoing basis after the project is completed will avoid harm to rare fish. Creation and maintenance of vegetative buffers and other measures to protect water quality and shoreline and riparian habitat may also be appropriate, either as required avoidance measures or voluntary conservation measures.

- **Rare Birds**: Species information and links in the NHI Portal outline breeding seasons for rare birds. During this period, birds are particularly sensitive to disturbance. Disturbance of nesting sites during the breeding season may destroy nests or cause adults to abandon nests with eggs or young, resulting in take. Often, avoiding disturbance near known or potential nesting sites during the breeding season will avoid take of rare birds. Measures to maintain habitat quality, quantity and connectivity will aid conservation of rare birds.

- **Rare Amphibians and Reptiles**: Species information and links in the NHI Portal outline habitat requirements and breeding seasons for rare amphibians and reptiles (herptiles or "herps"). Amphibians and reptiles often use a variety of wetland and upland habitats during the year. Often the habitat used by juveniles or hatchlings varies from that used by adults. Time-of-year restrictions and exclusion fencing are the most common avoidance methods for herps, but will not prevent take in every situation. If a species uses different habitat in the summer than winter (e.g., wood turtles occupy rivers and the associated riparian habitat during the summer but overwinter only in the water), take can often be avoided relatively easily for summer projects by installing exclusion fencing around a project disturbance area during the winter. However, some species use the same habitat throughout the year (e.g., western slender glass lizards and cricket frogs overwinter in the same location in which they spend the summer). In these situations, there are no time-of-year restrictions that will completely avoid take, and an incidental take permit will likely be needed.

- **Rare Plants**: Species information and links in the NHI Portal outline specific habitat and microhabitat preferences as well as growing and flowering seasons for rare plants. Often there are two straightforward ways for avoiding impacts to rare plants: 1) avoid all impacts to the specific area where the plants occur (e.g., install fencing around the area to protect it), and/or 2) conduct activities that will cause temporary, above ground disturbance (such as mowing, brushing, or prescribed fire to manage habitat) during the plant's dormant period. Habitat assessments and/or rare plant surveys are often conducted in conjunction with both 1 and 2 to determine exactly where the plants are located within the site. Actions to restore, maintain, or enhance habitat for rare plants on the site will aid long-term conservation of these species. Note that often measures to protect rare plants are not required by endangered species laws because often plants are only protected on public lands, however we recommend protecting when possible.

> **Please keep in mind** that endangered species laws require only that legally-protected species be protected from 'take'. However, the overarching goal is conservation of rare species and the communities and processes that support them. Whenever possible, we encourage you to implement practical measures that help reach the broader goal of effective conservation. These conservation measures may be required or strongly encouraged by other laws, policies, or programs.

- **Rare Aquatic Invertebrates** (e.g., mussels, dragonfly larvae): Most rare aquatic invertebrates are particularly sensitive to degradation in water quality. In addition, many have limited mobility during all or part of their lifespan. As a result, there are two types of avoidance measures generally needed. For projects that directly impact the waterbody (e.g. stream crossings, bridge construction, dredging), a habitat assessment should be conducted to determine if suitable habitat for the species occurs in the project area. If suitable habitat is present, surveys may need to be conducted to determine if the species is present in the project impact area. Depending on the species and results of the survey, translocations or an incidental take permit or authorization may be required prior to the start of any instream disturbance. Projects that directly impact waterbodies must also have strict controls in place to prevent sediment from leaving the immediate area. For projects that do not directly impact a waterbody but could impact water quality indirectly, strict erosion prevention measures must be in place during the entire ground disturbance period to prevent sediment from reaching the water. In addition, measures must be in place for all projects to prevent degradation of water quality on a long term basis.

- **Rare Terrestrial Invertebrates**: Many rare terrestrial invertebrates are dependent on specific habitat conditions and/or the presence of host plants required during a portion of their life cycle (e.g., Karner blue butterfly larvae feed only on lupine, and the adults depend heavily on a known suite of nectar plants). As a result, a habitat assessment is often the first step in determining whether the project can avoid impacts. If required host plants (or commonly used nectar plants) are not present on or near the site, the project will likely not impact the species. If host plants are found, generally the project partner has two options: they can either avoid the area of suitable habitat or have follow-up species surveys conducted by a qualified biologist during the flight period to determine presence or absence of the species. As many species overwinter in the same habitat, timing restrictions may not be effective. If the species is present on site, an incidental take permit or authorization may be needed.

- **Rare Small Mammals**: While some of Wisconsin's rare small mammals (including shrews, voles, mice, and squirrels) have relatively specific habitat requirements (e.g., remnant prairie), others are more general in their habitat requirements (e.g., dense duff layers, edge habitats, old field habitats). Currently most of these mammals are classified as Special Concern, and thus protection is voluntary. We encourage actions that will restore, manage, maintain, and protect suitable habitat for these species. Often this involves management of grassland habitats to control invasive plants and set-back succession using mowing, prescribed fires, or other methods. Time of year considerations may be important in considering when to burn, mow, etc. In addition, we recommend that habitat patches large enough to support the species on a long-term basis be set aside as conservation areas, and a habitat management plan be developed to help ensure that those habitats persist into the future. Such areas could also benefit numerous other species which depend on similar habitats (e.g., in the case of grasslands, other grassland-dependent birds, reptiles, and butterflies). Four WI cave bat species (State Threatened) and the American Marten have Species Guidance available that can be followed if your project has known EO records present.

- Wisconsin has four cave bat species that are State Threatened. See below for more information about activities covered under the cave bat broad incidental take permit. If a Northern long-eared bat (NLEB) is an EO then follow the NHI Screening Guidance for the NLEB to ensure your project is in compliance with federal law.

- The American Marten (State Endangered) has avoidance information available under the species guidance tab on the species webpage.

ii. Identify options for proceeding if impacts to endangered resources cannot be avoided

1. Consider if **there are existing broad incidental take permits or authorizations in place that** apply to your project. As of April 2022, the following broad incidental take permits/authorization are in place:

   i. If you are conducting **land management activities to restore, maintain, or enhance grassland or savanna habitats** on public or private lands, follow the Broad Incidental Taking Protocols for Grassland and Savanna Management. These protocols are designed to *minimize* incidental take associated with activities to restore, maintain or enhance grassland and savanna habitats. Following these protocols allows you to proceed with grassland and savanna habitat management even when incidental take is likely.

   ii. The department has issued a broad incidental take authorization/permit to cover the incidental take of 4 **cave bat species**. The permit covers activities such as bat removals, health exceptions, building or bridge demolitions, forestry activities, miscellaneous building repairs, and wind energy development projects as described in the Conservation Plan. There are no restrictions for tree cutting; however special consideration should be given to protecting snags or dying trees, particularly from June 1 – August 15.

   iii. The **Broad incidental take permit and authorization (BITP/A) for no or low impact activities** allows for the incidental taking (mortality) of state threatened and endangered animals that may occur during specific project activities. Reference the permit's website and the Certification Toolkit for Table 2 outlining the activities that are covered. If your project falls under this BITP/A then fill out the ER Review Verification Form and submit by email (or add it to the no/low annual report). If your project is covered but requires other DNR permits fill out the verification form and attach it to your other permit applications to show that ER requirements have been met. If only a portion on the project is covered, a review still needs to be completed.

   iv. The **Broad Incidental Take Permit/Authorization (BITP/A) for common activities** allows for the incidental taking of specific endangered and threatened species (wood turtle, ornate box turtle, Blanchard's cricket frog, slender glass lizard, mussel, and all listed fish), that may occur during streambank stabilization, stream crossings, mussel relocations, transportation projects, commercial fishing, vibratory plowing, and pipeline inspection/maintenance. Visit the website to learn what general criteria and protocols need to be followed in order for your project to be covered.

> **Is take of a protected species or habitat ever legal?** The taking of a state-listed species is legal only if the taking has been permitted by the DNR under s. 29.604, Wis. Stats. The project proponent must request and receive either an Endangered and Threatened Species Permit or an Incidental Take Permit or Authorization. Taking of a federally-protected species or critical habitat requires a similar process – see the Federal Endangered Species Permit website for more information.

2. Consult with the Endangered Resources Certification Coordinator and with the project partner to try to **identify other modifications to the project** that might allow it to proceed. For example, could the project be moved to a different part of the same site or to another site or altered?

3. **If take of a state-listed species is unavoidable or likely**, the project cannot legally proceed without an Incidental Take Permit or Authorization from the DNR. There are specific requirements for Incidental Take Permits and Authorizations including a Conservation Plan. Contact the ER Incidental Take Coordinator for more information.

4. **If take of a federally-listed species is likely**, you will need to consult with the USFWS Bloomfield MN Field Office. *For Section 7 projects, if you believe that the project 'may affect' (either positively or negatively) a species or critical habitat, you will need to consult with the* USFWS Bloomington Field Office at 612-725-3548 x2201.

5. Decide not to proceed with the project if impacts cannot be avoided.

⟶ Make a determination of impact for each species that comes up in your EO Summary (impact possible or avoidance not possible from the drop down box) and provide further justification using language from the document 'Template Language for Proposed ER Reviews' in the comments box.

⟶ Click the green 'Final Review' button, fill in your Certified ER Reviewer Information, and proceed to Step 5.

Step 5: Submit Proposed ER Review for final review and approval

A. Complete Proposed ER Review.

If you're not sure about decisions made used in the previous steps, call the ER Certification Coordinator to double check your findings or mention your questions in the email when submitting your review.

If you are submitting a long/linear project, you also have the option of completing the review using a long linear excel spreadsheet and Proposed ER Review Letter Template. Both can both be found in the Certified ER Reviewer Toolkit and submitted along with the items in Section B below. **The long linear excel sheet template should be used if your project covers several miles and can be broken out into smaller segments.**

B. Submit Proposed ER Review for final DNR review and approval.

The ER Review Program has the primary responsibility to ensure the quality of Proposed ER Reviews. In the event that recommendations or required actions need to be changed or modified, the ER Certification Coordinator will make the necessary changes and provide an explanation to the reviewer.

Email the following information to BOTH Angela White (AngelaL.White@wisconsin.gov) and Stacy Rowe (Stacy.Rowe@Wisconsin.gov). For energy, utility and transportation/DOT projects send to Stacy, please cc Angela.

1. Reference Appendix A of the template language document for how to structure your email. Please be sure to provide us with the exact title you entered in the portal.

2. Map(s) delineating the project area, preferably a digital orthophoto and/or topographic map

3. Photographs that clearly show the project area, including natural features and vegetation present on site

C. Share the finalized ER Review Letter (PDF) with the project partner.

When you receive the finalized letter you will receive an invoice from the DNR in the same email. Please pay (or have the requester pay) the invoice within 30 days of receipt of the invoice. The fee for approval is $75 per hour (per NR 29, Wis. Adm. Code) and is incremental after the first hour. This includes utility or energy projects submitted to the DNR-Office of Energy with the exception of utilities that are party to the 2003 Wisconsin Act 89 agreement with the Public Service Commission and the DNR-Office of Energy.

Remember that **NHI data are exempt from the WI Open Records Law** and are not subject to Open Records Requests. The finalized review letter comes watermarked with Confidential. Make sure any other documents in your project file with NHI information are marked Confidential as well.

You're done! Thank you for helping to protect Wisconsin's endangered resources.

Appendix A: Helpful Resources for Conducting Proposed ER Reviews

Information in addition to data contained in the NHI Portal is often needed to make decisions regarding potential impacts of proposed projects on rare species and natural communities. There are many sources of information about rare species and natural communities available online.

1. **Online resources**

DNR sites

- Your primary source of information on endangered resources in Wisconsin is the Animals, Plants and Natural Communities website found at http://dnr.wi.gov/topic/EndangeredResources/biodiversity.html/
- NHI Portal for external users: https://dnr.wi.gov/topic/nhi/calypso/portal.html
- Bureau of Natural Heritage Conservation: https://dnr.wi.gov/topic/EndangeredResources
- Endangered Resources Review Program: https://dnr.wi.gov/topic/ERreview
- Wisconsin's Wildlife Action Plan: https://dnr.wi.gov/topic/WildlifeHabitat/ActionPlan.html
- Broad Authorized Incidental Take Protocols for Grassland and Savanna Management: https://dnr.wi.gov/topic/erreview/itgrasslands.html
- Broad Incidental Take Permit/Authorization for no/low impact activities: http://dnr.wi.gov/topic/ERReview/ITNoLowImpact.html
- Rare Animal & Plant Report Forms: https://wiatri.net/nhi/
- Invasive species: https://dnr.wi.gov/topic/Invasives
- Ecological Landscapes of Wisconsin: https://dnr.wi.gov/topic/landscapes/index.asp

Non-DNR sites

- Wisconsin Breeding Bird Atlas (includes species distribution maps): http://www.uwgb.edu/birds/wbba/
- NatureServe: https://www.natureserve.org/
- Wisconsin Vascular Plants, UW Herbarium: http://www.botany.wisc.edu/wisflora/