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**FINAL PROGRAMMATIC ENVIRONMENTAL ASSESSMENT  
FOR  
VOLUNTARY PUBLIC ACCESS HABITAT INCENTIVE PROGRAM  
STATE OF IOWA**

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**United States Department of Agriculture  
Farm Service Agency**

**March 2011**

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## Cover Sheet

**Proposed Action:** The United States Department of Agriculture (USDA) Farm Service Agency (FSA) and the state of Iowa have agreed to implement a new Voluntary Public Access – Habitat Incentive Program (VPA-HIP). USDA is provided the statutory authority by the provisions of the Food Security Act of 2008, and the Regulations at 7 Code of Federal Regulations (CFR) 1410. VPA-HIP provides grants to state and tribal governments to encourage owners and operators of privately-held farm, ranch, and forest land to voluntarily make that land available for access by the public for wildlife-dependent recreation, including hunting, fishing, and other compatible recreation and to improve fish and wildlife habitat on their land. The VPA-HIP is administered by the state or tribal government that receives the grant funds.

**Type of Document:** Programmatic Environmental Assessment

**Lead Agency:** USDA, FSA

**Sponsoring Agency:** Iowa Department of Natural Resources

**Cooperating Agency:** None

**Comments:** This Programmatic Environmental Assessment was prepared in accordance with USDA FSA National Environmental Policy Act (NEPA) implementation procedures found in 7 CFR 799, as well as the NEPA of 1969, Public Law 91-190, 42 United States Code 4321-4347, 1 January 1970, as amended.

A Notice of Availability was released on March 29, 2011 announcing a 30-day comment period. A copy of the document can be found on the USDA FSA website: [www.fsa.usda.gov](http://www.fsa.usda.gov). Comments will be accepted until April 28, 2011. Comments may be submitted via e-mail to: [dhbanwart@tecinc.com](mailto:dhbanwart@tecinc.com)

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## **EXECUTIVE SUMMARY**

The United States Department of Agriculture Farm Service Agency proposes to implement a new program authorized by the Food, Conservation, and Energy Act of 2008 (the 2008 Farm Bill) in the state of Iowa. The Voluntary Public Access and Habitat Incentive Program (VPA-HIP) provides grants to state and tribal governments to encourage owners and operators of privately-held farm, ranch, and forest land to voluntarily make that land available for access by the public for wildlife-dependent recreation, including hunting, fishing, and other compatible recreation and to improve fish and wildlife habitat on their land. The VPA-HIP is administered by the state or tribal government that receives the grant funds.

The state of Iowa, through the Iowa Department of Natural Resources (IDNR), proposes to use VPA-HIP funds to create a new public access and habitat improvement program to provide the public with more opportunities to hunt and to improve wildlife habitat on private lands.

### **Proposed Action**

With VPA-HIP grant funds IDNR proposes to create a new habitat improvement and public access program called the Iowa Wildlife Habitat Management Access Program. IDNR would use VPA-HIP grant funds to provide habitat improvement incentives to private landowners, in exchange for landowners signing contracts allowing public hunting access to their land for a period of 3 to 10 years.

### **Purpose and Need**

The purpose of the Proposed Action is to use VPA-HIP grant funds to increase public access and improve wildlife habitat on private lands in the state of Iowa. The need for the Proposed Action is to increase the amount of public hunting access and promote wildlife habitat restoration on qualified private land.

### **Environmental Consequences**

This Programmatic Environmental Assessment has been prepared to analyze the potential environmental consequences associated with implementing the Proposed Action (Preferred Alternative) or the No Action Alternative. Under the Proposed Action, IDNR would utilize VPA-HIP funds to create a new public access program and offer habitat improvement as an incentive for landowners to join this program. Under the No Action Alternative, the public access program would not be created. Habitat improvement projects under the existing Private Lands Program would continue, but would be limited without the additional grant funds from VPA-HIP.

The potential environmental consequences of implementing the Proposed Action would be beneficial overall to the natural environment and increase public hunting opportunities in the state. A summary of environmental consequences is provided in Table ES-1.

**Table ES-1 Summary of Environmental Consequences**

<b>Resource</b>	<b>Proposed Action (Preferred Alternative)</b>	<b>No Action Alternative</b>
Biological Resources (Vegetation, Wildlife, Protected Species, and Wetlands)	Habitat improvement projects would cause minor short-term impacts to vegetation and nearby wildlife due to the direct disturbance of the land (re-seeding, mechanical vegetation removal, prescribed burning). However, long-term beneficial impacts to biological resources would be expected as a result of more stable native vegetation and improved cover and forage habitat for game species. No direct impacts to any protected species or wetlands would occur.	Creation of a new public access program would not occur and the additional funding for VPA-HIP would not be available for habitat improvement projects. Long-term benefits to the environment from increased funding for habitat improvement would not be realized.
Natural Resources (Water Resources and Soils)	Short-term, localized impacts to water quality and soils could occur from habitat improvement projects that disturb soil. However, long-term, beneficial impacts to water quality and soils would be realized from restoring vegetation cover, establishing native riparian vegetation, and stabilizing banks and streambeds.	Creation of a new public access program would not occur and the additional funding for VPA-HIP would not be available for habitat improvement projects. Long-term benefits to natural resources from increased funding for habitat improvement would not be realized.
Recreation	Some habitat improvement projects may temporarily limit entry until the project is firmly established. However, long-term beneficial impacts to recreation are expected from improving wildlife habitat and increasing public hunting access on private lands.	Creation of a new public access program would not occur and there would be no use of VPA-HIP funds to expand hunting opportunities in Iowa.
Socioeconomics and Environmental Justice	Slight beneficial impacts to the local economy from goods and services purchased for habitat improvement projects. Utilization of the land for hunting recreation would also be slightly beneficial due to purchases (lodging, meals, and goods) from traveling sportsmen. There would be no disproportionate impacts to minority or low income populations; therefore, there are no environmental justice concerns.	Creation of a new public access program would not occur and there would be no VPA-HIP grant funding. No direct negative impacts would occur to local economies. Any beneficial impacts from the spending of VPA-HIP funds for habitat improvement would not be realized. No Environmental Justice impacts would occur.
Air Quality	Localized and temporary increases in particulate matter could occur during habitat improvement projects that disturbed soils or utilized prescribed fire. However, projects would adhere to all state and federal regulations to ensure that no impacts to regional air quality would occur.	Current habitat improvement projects would continue. Prescribed burning would continue to occur as part of habitat restoration efforts in Iowa. There would be no change to existing air quality conditions.

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## **ACRONYMS AND ABBREVIATIONS**

CEQ	Council on Environmental Quality	PEA	Programmatic Environmental
CFR	Code of Federal Regulations		Assessment
EO	Executive Order	PLP	Private Lands Program
FSA	Farm Service Agency	U.S.	United States
GPS	Global Positioning System	USACE	U.S. Army Corps of Engineers
IDNR	Iowa Department of	USCB	U.S. Census Bureau
	Natural Resources	USDA	U.S. Department of Agriculture
NAAQS	National Ambient Air	USEPA	U.S. Environmental
	Quality Standards		Protection Agency
NEPA	National Environmental Policy Act	VPA-HIP	Voluntary Public Access and
NRCS	Natural Resources		Habitat Incentive Program
	Conservation Service		

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## **CHAPTER 1.0 INTRODUCTION**

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The United States (U.S.) Department of Agriculture (USDA) Farm Service Agency (FSA) proposes to implement a new program authorized by the Food, Conservation, and Energy Act of 2008 (the 2008 Farm Bill) in the state of Iowa. The Voluntary Public Access and Habitat Incentive Program (VPA-HIP) provides grants to state and tribal governments to encourage owners and operators of privately-held farm, ranch, and forest land to voluntarily make that land available for access by the public for wildlife-dependent recreation, including hunting, fishing, and other compatible recreation and to improve fish and wildlife habitat on their land. The VPA-HIP is administered by the state or tribal government that receives the grant funds.

The VPA-HIP is a competitive grants program that is only available for state and tribal governments. The grant funding may be used to expand existing public access programs or create new public access programs, or provide incentives to improve wildlife habitat on enrolled lands. Program objectives are to:

- Maximize participation by landowners;
- Ensure that land enrolled in the program has appropriate wildlife habitat;
- Provide incentives to improve wildlife habitat on Conservation Reserve Enhancement Program lands, if available;
- Supplement funding and services from other federal, state, or tribal government or private resources; and
- Inform the public about the location of public access land.

The state of Iowa, through the Iowa Department of Natural Resources (IDNR), proposes to use VPA-HIP grant funds to create a new habitat improvement and public access program aimed at providing increased public hunting access and improved wildlife habitat on private lands.

### **1.1 BACKGROUND**

Currently, the state of Iowa does not have a program that allows public access to private lands for hunting; however, IDNR does have a program that works with landowners to improve wildlife habitat on private lands. The Private Lands Program (PLP) was created in 2000 to work with landowners who desire to manage and improve wildlife habitat on their lands. Since its inception in 2000, IDNR's PLP program has provided technical and financial assistance to an average of 1,800 landowners per year on approximately 318,000 acres of private land. The PLP technical staff collaborates with landowners to improve habitat on their property through wetlands design; shelterbelt and winter food plot development and planting; and native grass and forb seeding, tree and shrub planting, and various other habitat improvement techniques.

### **1.2 THE PROPOSED ACTION**

With VPA-HIP grant funds IDNR proposes to create a new habitat improvement and public access program called the Iowa Wildlife Habitat Management Access Program. IDNR would use VPA-HIP grant funds to provide habitat improvement incentives to private landowners, in exchange for landowners

signing contracts allowing public hunting access to their land for a period of 3 to 10 years. VPA-HIP funds would also be used for associated management costs with the new public access program (e.g., brochures, signs, etc.). Through the new program, IDNR has a goal of improving 3,700 acres of habitat on private lands per year throughout the duration of the three year VPA-HIP grant. IDNR would make the program available statewide to all landowners who own at least 40 acres of land with appropriate habitat.

### **1.3 PURPOSE AND NEED FOR PROPOSED ACTION**

The purpose of the Proposed Action is to use VPA-HIP grant funds to increase public access and improve wildlife habitat on private lands in the state of Iowa. The need for the Proposed Action is to increase the amount of public hunting access and promote wildlife habitat restoration on qualified private land.

### **1.4 REGULATORY COMPLIANCE**

This Programmatic Environmental Assessment (PEA) has been prepared to satisfy the requirements of the National Environmental Policy Act (NEPA) (Public Law 91-190, 42 U.S. Code 4321 et seq.); implementing regulations adopted by the Council on Environmental Quality (CEQ) (40 Code of Federal Regulations [CFR] 1500-1508); and FSA implementing regulations, Environmental Quality and Related Environmental Concerns – Compliance with NEPA (7 CFR 799). The intent of NEPA is to protect, restore, and enhance the natural and human environment through well-informed federal decisions. A variety of laws, regulations, and Executive Orders (EOs) apply to actions undertaken by federal agencies and form the basis of the analysis presented in this PEA.

### **1.5 ORGANIZATION OF PEA**

This PEA assesses the potential impacts of the Proposed Action and the No Action Alternative on potentially affected environmental and economic resources.

- Chapter 1.0 provides background information relevant to the Proposed Action, and discusses its purpose and need.
- Chapter 2.0 describes the Proposed Action and alternatives.
- Chapter 3.0 describes the baseline conditions (i.e., the conditions against which potential impacts of the Proposed Action and alternatives are measured) for each of the potentially affected resources and the potential environmental impacts to those resources.
- Chapter 4.0 describes potential cumulative impacts and irreversible and irretrievable resource commitments.
- Chapter 5.0 discusses mitigation measures utilized to reduce or eliminate impacts to protected resources.
- Chapter 6.0 contains a list of the persons and agencies contacted during the preparation of this document.
- Chapter 7.0 lists the preparers of this document.
- Chapter 8.0 contains references.
- Appendix A provides the Programmatic Agreement.
- Appendix B provides agency correspondence.

## CHAPTER 2.0 DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

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### 2.1 PROPOSED ACTION

The IDNR proposes to use VPA-HIP grant funds totaling \$1,500,000 and supplemental state, private, and other federal funds to create a new habitat improvement and public access program. IDNR would use VPA-HIP grant funds to provide habitat improvement incentives to owners of privately held farm, ranch, and forest land, in exchange for signing contracts allowing public hunting access to their land for a period of 3 to 10 years. Through the program, IDNR has a goal of improving 3,700 acres of habitat on private lands per year throughout the duration of the three year VPA-HIP grant. IDNR would make the program available statewide to all eligible landowners who own at least 40 acres of land with appropriate habitat. VPA-HIP funds would be used for habitat improvement projects and management costs associated with the new habitat improvement and public access program (e.g., preparing brochures, installing signs, etc.).

Habitat improvement activities that could be paid for with grant funds would be consistent with statewide conservation efforts detailed in *Securing a Future for Fish and Wildlife: A Conservation Legacy for Iowans* (IDNR 2006). Enrollment in the program would be voluntary and specific habitat improvement activities would vary depending on the geographic location of the property, habitat type, abundance of wildlife, and size of land proposed for improvement. During the application screening process, an IDNR biologist would assess the land proposed for enrollment to determine the habitat quality and potential for wildlife. If accepted for enrollment, the IDNR biologist would develop a habitat management plan detailing the most beneficial habitat improvement project(s). Habitat improvement activities under this program could include grass and forb seeding; tree and shrub planting; burning; disking; application of approved herbicides (i.e., glyphosate, also known as “Roundup”); interseeding; developing foodplots; edge feathering; timber stand improvement; and wetland restoration.

In exchange for the habitat improvement incentive, landowners enrolled in the program would make their entire field available for public hunting regardless of the total acreage of the habitat improvement project. Therefore, the amount of land made available for public access through this program would be much greater than 3,700 acres. The public would be made aware of all enrolled lands through IDNR’s website. IDNR currently lists all public lands open to hunting on their Recreational Map viewer (IDNR 2011a). Property enrolled in the program would be added as another layer to this map. Furthermore, IDNR would produce individual area maps of enrolled properties showing infrastructure (e.g., parking lots) in the area that could be used by hunters, as well as what land cover and wildlife species hunters could expect to encounter in the area. IDNR is also considering putting downloadable global positioning system (GPS) information on their website that would allow hunters to download information to handheld GPS units showing enrolled property boundaries in particular areas.

## **2.2 ALTERNATIVES CONSIDERED**

CEQ regulations (40 CFR §1502.14) require the lead agency to identify all reasonable alternatives for implementing a Proposed Action. The Federal Register notice announcing the rule for VPA-HIP (Vol. 75(130), page 39135) explicitly states the purpose of VPA-HIP is to provide grants to state and tribal governments to encourage owners and operators of privately-held farm, ranch, and forest land to voluntarily make that land available for access by the public for wildlife-dependent recreation and to improve fish and wildlife habitat on their land. Each VPA-HIP application received by USDA FSA underwent a selection screening process to identify those proposals that met the program objectives (listed in Introduction Section 1.0).

IDNR considered other alternative strategies for the VPA-HIP in which annual rental payments would be paid to landowners with no habitat improvement incentive, as well as providing both annual rental payments and habitat improvement incentives. However, it was determined that the best use of the funds would be to offer habitat improvement as the sole incentive to landowners. This would assist IDNR in reaching its goal of improving habitat on 3,700 acres of land statewide per year and would also allow for the expansion of public hunting opportunities on private lands.

## **2.3 NO ACTION ALTERNATIVE**

Under the No Action Alternative, the VPA-HIP would not be implemented in the state of Iowa. Creation of a new habitat improvement and public access program would not occur. Habitat improvement projects under PLP would continue, but would be limited without the additional grant funds from VPA-HIP. There would be no expansion of public hunting opportunities on private lands. The No Action Alternative does not meet the purpose and need of the Proposed Action, but is being carried forward in accordance with CEQ regulations to serve as the baseline against which potential impacts of the Proposed Action are measured.

## **2.4 RESOURCES ELIMINATED FROM ANALYSIS**

CEQ regulations (40 CFR §1501.7) state that the lead agency shall identify and eliminate from detailed study the issues which are not important or which have been covered by prior environmental review, narrowing the discussion of these issues in the document to a brief presentation of why they would not have a dramatic effect on the human or natural environment.

The Proposed Action consists of creating a new habitat improvement and public access program. The overall impacts to the human and natural environment would be from habitat improvement activities and the increased human presence on private lands for hunting purposes. However, the potential direct and indirect impacts to physical resources would be dependent on specific ground disturbing activities proposed, methods, location, and time of year. Prior to any activities taking place, an IDNR biologist would create a habitat management plan that the landowner must agree to implement. Thus, from a programmatic level, the Proposed Action would have little to no impact on the following resource areas:

*Noise.* The Proposed Action would not create any new permanent sources of noise to the environment. Allowing public access to private lands for hunting may introduce gunfire noise on lands where public hunting may not presently occur. This noise would be intermittent and occur during daylight hours during specified hunting seasons. The requisite size of land needed for safe hunting would reduce the potential for gunfire noise to be heard outside the property. Habitat improvement activities could require the use of heavy equipment. These activities would be localized, temporary in nature, only occur during typical working daylight hours, and are not likely to exceed typical noise levels experienced on active agricultural land.

*Human Health and Safety.* No components of the Proposed Action would directly impact human health or safety. The goal of the Proposed Action is to improve wildlife habitat and increase public hunting access to privately-held land that supports an abundance of wildlife. While hunting does pose a slight safety risk, this activity would occur on private land with controlled access. Iowa hunting regulations require hunters to receive the appropriate education and meet minimum age requirements before a permit can be issued. All habitat improvement requiring the use of heavy machinery would be done in accordance with existing safety guidelines.

*Land Use.* The Proposed Action would not result in any changes to land use designations. The Proposed Action would occur on private lands on a voluntary basis and would not require the alteration of land use.

*Transportation.* No aspect of the Proposed Action entails any alteration of the current transportation system in the state of Iowa. Enrollment in the program could cause an increase in the number of vehicles traveling to enrolled properties; however, it is highly unlikely this would be considered an impact to the transportation system, but rather a redistribution of vehicular traffic.

*Cultural Resources.* The Proposed Action would not directly or indirectly impact any cultural resources, either architectural or archaeological. IDNR is highly aware of the importance of cultural resources, and no aspect of the Proposed Action would allow for purposeful destruction of any cultural resources. Therefore, no impacts to cultural resources would occur. IDNR has a programmatic agreement in place with the Iowa State Historic Preservation Officer that lists procedures for evaluating potential impacts to cultural resources. This agreement will be applied during implementation of the proposed action as part of the Section 106 process. Proposed activities will be evaluated to determine the need for Section 106 review or if Section 106 review can be excluded. IDNR retains archeological consultants on contract that will perform any needed surveys that may result from Section 106 consultation with the Iowa State Historic Preservation Officer. This agreement helps ensure that cultural resources will not be directly or indirectly impacted by the Proposed Action.

*Coastal Zones.* The state of Iowa has no coastal zones, as it is a land-locked state. However, lakes and reservoirs do exist. Proposed habitat improvement projects would ultimately benefit these areas. Potential water resources impacts are addressed in Section 3.2.

*Other Formally Classified Lands.* The Proposed Action can only be implemented on privately owned lands. The only formal classification applicable on private land would be Prime and Unique Farmland or

Farmland of Statewide Importance. The Proposed Action would not include removing these lands from agricultural production. Therefore, there would be no impacts to any other formally classified lands.



## **CHAPTER 3.0    AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES**

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This chapter provides a description of the existing environmental conditions that have the potential to be affected from implementation of the Proposed Action and the potential environmental impacts that may occur to those resources. Resource areas potentially impacted by the Proposed Action and covered in this PEA include:

- Biological Resources (Vegetation, Wildlife, Protected Species, and Wetlands)
- Natural Resources (Water Resources and Soils)
- Recreation
- Socioeconomics and Environmental Justice
- Air Quality

As described in Chapter 2, this PEA describes the potential impacts from implementing VPA-HIP funds in the state of Iowa on a programmatic level. Site-specific analysis for all proposed habitat improvement projects would be done through the site selection process and development of a habitat management plan. The site-specific analysis in combination with the programmatic level analysis provided in this PEA serves as the full NEPA documentation.

Environmental consequences to each resource area are described for the Proposed Action (Preferred Alternative) and the No Action Alternative:

- **Proposed Action (Preferred Alternative):** utilize VPA-HIP funds to create a new public access program and improve habitat.
- **No Action Alternative:** creation of a new public access program would not occur. PLP would continue in Iowa as it is currently administered.

### **3.1    BIOLOGICAL RESOURCES**

Biological resources are any living features of the natural environment that add to the intrinsic value of the local area. In this PEA, biological resources include vegetation, wildlife, protected species, and wetlands. Biological resources are included in this PEA because habitat improvement projects have the potential to temporarily disturb the natural environment during implementation but would also result in long-term positive improvements to the natural environment. Also, creating a new public access program and increasing hunting opportunities may increase the potential for impacting game populations.

#### **3.1.1    Affected Environment**

The Proposed Action covers the entire state. A very brief overview of the common vegetation within the state is presented in Section 3.1.1.1, wildlife that could potentially be impacted by hunting is described in Section 3.1.1.2, protected species that could be impacted are described in Section 3.1.1.3, and wetlands are described in section 3.1.1.4.

#### 3.1.1.1 Vegetation

The state of Iowa contains four major vegetative habitat types: wooded habitats, wetland habitats, grassland habitats, and agricultural lands. Historically, Iowa was dominated by prairie grassland habitat, which covered roughly two-thirds of the state. Currently, however, the majority of the state is dominated by agricultural land. In 2002 roughly 74 percent of the state was being used as agricultural land (IDNR 2006).

Historically, the prairie grassland contained an abundance of plant species that varied depending on soil type. Well drained loamy soils were covered with grasses such as switchgrass, big bluestem, and Indian grass. Forbs that grew on loamy soils included compass plant, rattlesnake master, smooth aster, wild indigo, and goldenrod. Drier sites that contained sand and gravel supported grasses such as little bluestem, side-oats grama, and needlegrass, and forbs that grew in these areas included pasque flower, silky aster, yellow puccoon, and common milkweed. Currently in Iowa, many of the prairie communities have been converted into agricultural land. The main agricultural crops planted in Iowa include corn, soybeans, and hay (IDNR 2006).

Forests in Iowa were historically found in floodplains, but have since spread slightly throughout the state as out of use agricultural land reverts back to natural habitat. Common species of forests in wetter areas in Iowa include silver maple, American elm, swamp white oak, hickories, hackberry, black walnut, white ash, red oak, basswood, and slippery elm. Common understory species include catbriar, poison ivy, and grape. Forests in drier areas contain overstories dominated by burr oak, red oak, and white oak. Understories in drier forest include many prairie grasses and forbs, but hazel, coralberry, sumac, and grape are also present (IDNR 2006).

#### 3.1.1.2 Wildlife

Iowa contains an abundance of wildlife found throughout the various habitats in the state. Game species found in Iowa include deer, turkey, rooster pheasant, bobwhite quail, gray partridge, ruffed grouse, cottontail rabbit, jack rabbit, fox squirrel, gray squirrel, groundhog, crow, pigeon, coyote, raccoon, opossum, badger, skunk, red fox, gray fox, and bobcat. Furbearer species that can be hunted through trapping include coyote, mink, muskrat, weasel, striped skunk, badger, opossum, red fox, gray fox, raccoon, beaver, otter, and bobcat (IDNR 2010a). Waterfowl species that can be hunted include ducks, mergansers, coots, Canada geese, white-fronted geese, snow geese, Ross's geese, woodcock, snipe, and rails (IDNR 201b).

#### 3.1.1.3 Protected Species

The state of Iowa contains numerous species that are protected by federal or state Endangered Species Acts. The IDNR website lists all threatened and endangered species that have been documented throughout the state, and contains various agency plans for the management and protection of special status species. All wildlife species in Iowa except mountain lions and black bears are protected by Iowa Code; however, some species (e.g., migratory waterfowl) are listed as game species. Hunting of these

game species is controlled through specific licensing and bag limits, and is regulated by IDNR (IDNR 2010b).

#### 3.1.1.4 Wetlands

Wetlands are broadly considered “waters of the U.S.” and are defined by the U.S. Army Corps of Engineers (USACE) as areas that are inundated and saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions (USACE 1987). Wetlands provide valuable habitat for a variety of wildlife.

Wetlands are relatively uncommon in Iowa, comprising only 0.5 percent of the state’s land cover. Wetlands in Iowa occur along river corridors and prairie potholes. Plant species commonly found throughout wetlands in Iowa include sedges, slough grass, cord grass, bluejoint, prairie muhly grass, panic grass, gayfeather, prairie dock, Turk’s-cap lily, and New England aster (IDNR 2006).

### 3.1.2 Environmental Consequences

Impacts to biological resources would be considered significant if activities resulted in reducing the wildlife populations to a level of concern, removing land with unique vegetation characteristics, incidental take of a protected species or its habitat, or filling of wetland areas without appropriate permits and mitigation measures.

#### 3.1.2.1 Proposed Action (Preferred Alternative)

Under the Proposed Action, additional habitat improvement projects similar to those currently done by IDNR would occur on privately-held farms, ranches, and forest land throughout Iowa under the VPA-HIP. These projects would be consistent with overall strategies to conserve habitat and wildlife important to the state of Iowa as described in *Securing a Future for Fish and Wildlife: A Conservation Legacy for Iowans* (IDNR 2006). In general, the activities associated with installing these projects would result in minor, short-term impacts, which include disturbance to local vegetation, wildlife, and wetlands. However, the goal of these projects is long-term habitat improvement and sustainability of wildlife. The specific impacts of each individual project, with respect to biological resources, would be addressed by the regional biologist through IDNR’s site specific habitat management plan. This process would ensure minimal impacts to wildlife and their habitat, and no impact to a protected species or wetlands. Programmatic-level impacts to vegetation, wildlife, protected species, and wetlands are described below.

#### *Vegetation and Wildlife*

Under the Proposed Action, it is expected that implementation of the habitat improvement projects would increase habitat value by controlling less favorable vegetation species in preference for native species that provide greater habitat value. Many habitat improvement projects are focused on the conservation of important wildlife species such as pheasants, turkey, and deer. In general, habitat improvement would remove invasive or nuisance species to allow for preferred native species to dominate the habitat. Removal of nuisance species can be done by hand, mechanically, or with prescribed burning depending

on the habitat type, size of project area, and local conditions. In some cases, preferred vegetation species may be seeded or planted to increase the habitat value, while in other cases the habitat would be allowed to naturally regenerate after removal of invasive species. Installation of the restoration activity could result in short-term, minor impacts to vegetation and disturbance to local wildlife. However, these impacts would be more than offset by the long-term improvement in habitat value and subsequent conservation of important wildlife.

IDNR goes to great lengths to ensure hunting a game species does not negatively affect the status of the species. All game species are managed for the long-term viability of the populations. Each year IDNR determines the population health, population size, and the conservation objective for each species. IDNR then factors in the hunting take success for each species and determines the appropriate bag limits to issue for each species. Creating a new public access program and increasing hunting opportunities would not result in adverse impacts to game species' populations given the existing IDNR control through the license process.

#### *Protected Species*

Under the Proposed Action, it is expected that implementation of the habitat improvement projects would increase habitat value by controlling less favorable species in preference for native species that provide greater habitat value. This would result in long-term positive impacts to the habitat and associated wildlife. The IDNR habitat management plan would identify the potential presence of a protected species or its habitat and ensure no impact would occur during installation of a project. IDNR has a Programmatic Agreement with the U.S. Fish and Wildlife Service for conducting habitat improvement projects of this type. The Service and IDNR have determined that the potential impact from these activities is negligible and therefore formal consultation is not required (Appendix A).

#### *Wetlands*

Under the Proposed Action some habitat improvement would occur in wetland areas. Habitat improvement projects would include wetland seeding and would have short-term minor impacts on wetlands; however, it is expected that once the projects are complete there would be long-term improvement in habitat value. There would also be improvements to adjacent riparian habitat which may include herbaceous seeding and shrub planting. These measures would stabilize the banks and streambeds. Installation of the habitat improvement measure could cause a minor, short-term impact by increasing sediment loads in runoff; however, the long-term benefit of the habitat improvements more than offsets the short-term impact. In addition, erosion and sediment control measures would be utilized during project implementation. The habitat management plan would identify the presence of a wetland area and ensure its protection. Consultation with USACE and the appropriate permit would be obtained for individual projects as required.

#### 3.1.2.2 No Action Alternative

Under the No Action Alternative, the new public access program would not be created and no habitat improvement projects would be undertaken on private lands utilizing the VPA-HIP funding. PLP would

continue to be available, but would be limited without the additional grant funds from VPA-HIP. While habitat improvement projects and restoration activities would still occur, the benefit from additional improvement projects throughout Iowa utilizing the VPA-HIP funding would not be realized.

## **3.2 NATURAL RESOURCES**

### **3.2.1 Affected Environment**

#### **3.2.1.1 Water Resources**

For this analysis, water resources include surface water quality. The Clean Water Act, the Safe Drinking Water Act, and the Water Quality Act are the primary federal laws that protect the nation's waters including lakes, rivers, aquifers, and wetlands. Wetlands are addressed in Biological Resources, Section 3.1.

Surface water in Iowa includes approximately 71,665 miles of perennial rivers and streams and over 161,000 acres of lakes, reservoirs, and wetlands. While surface water makes up less than 1 percent of Iowa's landcover it is necessary for drinking water, recreational opportunities, wildlife sustainment, and agricultural production. The quality of these surface waters impacts how they can be utilized by the populace (IDNR 2011b).

IDNR monitors and maintains water quality throughout the state with a variety of programs and regulations. IDNR writes water quality improvement plans for the state's impaired rivers and lakes. Each plan contains research results and public input in an effort to help reduce the amount of pollutants that reach impaired surface waters throughout the state (IDNR 2011b).

#### **3.2.1.2 Soils**

Soils are included in this PEA because of the increased erosion potential resulting from the proposed habitat improvement projects.

A wide variety of soils occur throughout the state of Iowa. Soils play an important role in the state economy because of their importance to the agricultural industry. The Natural Resources Conservation Service (NRCS) has documented over 440 separate soil series in Iowa, and has divided these series into 22 soil regions for management purposes (NRCS 2011). Descriptions of each soil series can be found in the county soil surveys on Iowa's NRCS website (NRCS 2011).

### **3.2.2 Environmental Consequences**

Impacts to natural resources would be considered significant if implementation of the Proposed Action resulted in violating laws or regulations established to protect water resources, major deterioration of water quality, or increased erosion and sedimentation to a level that could not be avoided or minimized with appropriate management practices or mitigation measures.

#### **3.2.2.1 Proposed Action (Preferred Alternative)**

##### *Water Resources*

Under the Proposed Action, it is expected that implementation of the habitat improvement projects would increase habitat value by controlling less favorable species in preference for species that provide greater vegetation and wildlife value, as well as long-term decreases in erosion. Improvements to riparian habitat may include herbaceous seeding and shrub planting. Surface water quality would be improved by stabilizing the banks and plantings. The habitat improvement measure could cause a minor short-term impact by increasing sediment loads in runoff; however, the long-term benefit of the habitat improvement more than offset the short-term impact. In addition, sound erosion and sediment control measures would be utilized during the habitat improvement. The habitat management plan would identify all nearby surface water sources and establish the appropriate management practices to protect those resources from increased sedimentation, such as establishing vegetative cover on exposed soils.

### *Soils*

The Proposed Action has the potential to negatively impact soils resources during habitat improvement projects. Specific impacts would depend on the types of soil in the project area and the erosion potential of each individual soil, and the size and depth of the proposed disturbance. These site-specific impacts would be fully addressed through the habitat management plan. Programmatic-level impacts would include temporary disturbance during habitat improvement from activities such as grading or the removal of invasive vegetation. The use of NRCS approved best management practices, such as silt fencing, during soil disturbing activities would reduce the amount of soil erosion and sedimentation in project areas. Completion of habitat improvement projects would have long-term benefits on area soils because an increase in vegetation cover would help reduce future soil erosion in improved areas. Under the Proposed Action, there would be short-term, negative impacts to soil resources during habitat improvement projects; however, once the projects are completed there would be long-term, beneficial impacts to soil resources in the state of Iowa.

#### 3.2.2.2 No Action Alternative

Under the No Action Alternative, creation of a new public access program would not occur and the additional VPA-HIP funding would not be available for habitat improvement projects on private lands. PLP would continue to be available, but would be limited without the additional grant funds from VPA-HIP. While habitat improvement projects and restoration activities would still occur, the benefit from additional improvement projects throughout Iowa utilizing the VPA-HIP funding would not be realized.

### **3.3 RECREATION**

Recreation includes those outdoor activities that take place away from the residence of the participant. The state of Iowa offers a wide variety of recreational opportunities to its residents. Recreational activities that are common in Iowa include hunting, fishing, wildlife viewing, camping, cross-country skiing, canoeing, kayaking, horseback riding, hiking, biking, and the use of off-road vehicles. For this PEA, recreation focuses on hunting opportunities available to the public in the state of Iowa.

### **3.3.1 Affected Environment**

Hunting in the state of Iowa is regulated by IDNR and a valid hunting license is required to hunt within the state. These licenses are valid from the date of purchase until the end of the calendar year. Separate hunting licenses are required to hunt certain species or types of game. Species that require a separate hunting license in the state of Iowa include turkey, deer, migratory game birds, and furbearers. Licenses are sold through the Electronic Licensing System for Iowa and can be obtained online from the IDNR website or at one of over 900 license sales agents throughout the state (IDNR 2010a).

### **3.3.2 Environmental Consequences**

Impacts to recreation would be considered significant if they drastically reduced, increased, or removed available public lands designated for recreation or significantly degraded the quality of the recreation. Impacts to environmental conditions such as air, water, or biological resources within or near public recreational land in such a way to affect its use would also be considered significant.

#### **3.3.2.1 Proposed Action (Preferred Alternative)**

The Proposed Action has the potential to provide long-term, beneficial impacts to recreational resources in the state of Iowa. Creating a new public access program would expand opportunities for public hunting access on private property. An estimated 10,000 to 12,000 acres of private lands would be opened to public hunting access each year throughout the duration of the VPA-HIP grant. During habitat improvement projects there could be short-term, negative impacts to recreational resources because the land may not be accessible and improvement activities could disturb wildlife and game species. However, habitat improvement projects under VPA-HIP would also lead to long-term, higher quality hunting opportunities. Therefore, the Proposed Action would have long-term, beneficial impacts to recreational resources in Iowa.

#### **3.3.2.2 No Action Alternative**

Under the No Action Alternative, the new public access program would not be created and no habitat improvement projects would be undertaken on private lands utilizing the VPA-HIP funding. There would be no use of VPA-HIP funds for expansion of recreational opportunities in Iowa. Currently the state of Iowa does not have a hunting public access program; therefore, under the No Action Alternative there would be no change to existing recreational resources.

### **3.4 SOCIOECONOMICS AND ENVIRONMENTAL JUSTICE**

Socioeconomics for this PEA includes an investigation of population and demographic statistics as well as a discussion on the potential income from habitat improvement projects and increased public hunting access.

EO 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, requires a federal agency to “make achieving environmental justice part of its mission by identifying and addressing as appropriate, disproportionately high human health or environmental effects

of its programs, policies, and activities on minority populations and low-income populations.” A minority population can be defined by race, by ethnicity, or by a combination of the two classifications.

According to CEQ, a minority is defined as being one of the following groups: American Indian or Alaska Native, Asian or Pacific Islander, Black, not of Hispanic origin, or Hispanic. A minority population is defined as one of these groups exceeding 50 percent of the population in an area or the minority population percentage of the affected area is meaningfully greater than the minority population percentage in the general population (CEQ 1997). The U.S. Census Bureau (USCB) defines ethnicity as either being of Hispanic origin or not being of Hispanic origin. Hispanic origin is further defined as “a person of Cuban, Mexican, Puerto Rican, South or Central America, or other Spanish culture or origin regardless of race” (USCB 2001).

Each year the USCB defines the national poverty thresholds, which are measured in terms of household income and are dependent upon the number of persons within the household. Individuals falling below the poverty threshold are considered low-income individuals. USCB census tracts where at least 20 percent of the residents are considered poor are known as poverty areas (USCB 1995). When the percentage of residents considered poor is greater than 40 percent, the census tract is considered an extreme poverty area.

### **3.4.1 Affected Environment**

#### **3.4.1.1 Population and Demographics**

The state of Iowa had an estimated population of just over 3 million in 2008. According to the USCB, Iowa showed a 2.8 percent increase in population from 2000 to 2009, which is substantially less than the nation as a whole (9.1 percent). Iowa ranked 39<sup>th</sup> in the nation for population change from 2000 to 2009. The majority of Iowa’s population is located in urbanized areas (61.1 percent) with the remaining 38.9 percent being located in rural areas. 5.9 percent of the rural population resides on farms (Iowa 2011, USCB 2011a).

Iowa’s population is predominantly white, with 92.7 percent of the 2000 Census respondents claiming this ethnicity. Persons of Hispanic or Latino origin made up 4.1 percent of Iowa’s population and are the largest minority in the state. Black/African Americans ranked third at 2.5 percent, followed by Asians at 1.6 percent. American Indian and Alaska Native, Native Hawaiian or Other Pacific Islander, and peoples of two or more races made up small portion of Iowa’s population, at 0.3, 0.1, and 1.5 percent, respectively (USCB 2011b).

In 2008, Iowa ranked 31<sup>st</sup> in the nation with a poverty rate of 11.5 percent. Of the current population, 86.1 percent have a high school education, with 21.2 percent of persons over the age of 25 years having attained a Bachelor’s degree or higher (USCB 2011b).

#### **3.4.1.2 Income and Employment**

In 2008, the unemployment rate in Iowa was 4.4 percent, ranking 41<sup>st</sup> in the nation. Iowa ranked 29<sup>th</sup> nationally with a household median income of \$48,890, slightly lower than the nation as a whole



(\$52,029). Per capita income was \$37,402, again slightly lower than the national average of \$40,208 (USCB 2011b).

The Proposed Action has the potential to directly impact Iowa's privately held farms, ranches, and forest land. In 2007 there were 92,856 farms in Iowa, comprising over 30 million acres within the state. This yields an average farm size of 331 acres. In 2007, the average net cash farm income for Iowa farmers was \$69,481 (USDA 2007).

### **3.4.2 Environmental Consequences**

Significance of an impact to socioeconomics varies depending on the setting of the Proposed Action, but 40 CFR 1508.8 states that effects may include those that induce changes in the pattern of land use, population density, or growth rate.

Environmental justice is achieved when everyone, regardless of race, culture, or income, enjoys the same degree of protection from environmental and health hazards and has equal access to the decision-making process. Significant environmental justice impacts would result if access to decision-making documents was denied or if any adverse environmental effects occurred that would disproportionately affect minority or low-income populations.

#### **3.4.2.1 Proposed Action (Preferred Alternative)**

Under the Proposed Action, a total of \$2,211,400 in state, federal, and private funds would be used to create the Iowa Wildlife Habitat Management Access Program that would pay for habitat improvement and management on private lands, and allow public access on these lands for hunting. Of the over \$2 million dollars, \$1.5 million would be provided through VPA-HIP grant funds (\$500,000 each year for three years). The Program goal is to improve habitat on approximately 3,700 acres per year for the 3 years of the VPA-HIP grant duration.

Based on Iowa's conservative estimate of habitat creation/management costing on average \$160 per acre, a total of \$592,000 per year would be directly paid out to either landowners or contractors to perform habitat improvements on the enrolled lands. The amount of money paid out for each individual habitat project would ultimately depend on the project's acreage and the extent of the restoration. It is assumed that some of this money would be used for purchase of goods necessary for habitat improvement (e.g., seed, plantings, and signage) and would be spent locally. This would have a slight direct benefit to local economies, though it would be a one-time payout.

Indirectly, increasing valuable hunting lands with high quality habitat would draw hunters from outside the local community. This would also cause a slight, beneficial impact to local economies from hunters purchasing goods and services, such as meals, lodging, supplies, and fuel for hunting trips.

Under the Proposed Action, there would be no disproportionate impact to minorities or low income populations in Iowa. The Program is available statewide and would be voluntary, only targeting lands with suitable habitat.

#### 3.4.2.2 No Action Alternative

Under the No Action Alternative, IDNR would not receive funding under the VPA-HIP. The new public access program would not be created and access to private lands for hunting would remain limited. The No Action Alternative would not allow for any of the positive economic benefits from the introduction of VPA-HIP funding into Iowa's economy, nor would it allow for the expansion of hunting opportunities on private lands throughout Iowa, which also yields economic benefits via the purchase of goods and supplies.

### 3.5 AIR QUALITY

Air quality in the U.S. is governed by the Clean Air Act. National Ambient Air Quality Standards (NAAQS) have been established for criteria air pollutants regulated by the U.S. Environmental Protection Agency (USEPA): ozone, carbon monoxide, sulfur dioxide, nitrous oxide, lead, and particulate matter. The NAAQS are used as thresholds to determine if local air quality is within acceptable thresholds (in "attainment") or exceeds the thresholds ("non-attainment"). Air quality in this PEA is limited to an analysis of particulate matter since the proposed habitat improvement projects could include prescribed burning or result in soil disturbance, both of which have the potential to temporarily increase particulate matter in the local area.

#### 3.5.1 Affected Environment

In 2010, Iowa had 65 total exceedances for particulate matter less than 2.5 microns in size, 2 for ozone, 14 for sulfur dioxide, and 6 for lead (IDNR 2010c). Particulate matter is a mixture of solid particles and liquid droplets suspended in the air, ranging in size from particles large enough to be seen with the naked eye to particles that are microscopic. The USEPA regulates particulate matter less than 10 microns in diameter due to the possible health hazards from inhalation and disruption of visibility (haze) (USEPA 2010).

Iowa is currently in the process of creating a statewide fire management policy, which will include a smoke management plan. Any prescribed burning that occurs for habitat improvements would have to comply with this plan and any other federal and state regulations (personal communication, McGraw 2011).

#### 3.5.2 Environmental Consequences

Impacts to air quality would be considered significant if the action resulted in a violation of air quality regulations, resulted in a permanent increase of criteria pollutants, or affected the attainment status of the local area.

##### 3.5.2.1 Proposed Action (Preferred Alternative)

The Proposed Action would have little potential for impacts to regional air quality. Allowing land to be enrolled in a new public access program would not require any activities that would impact air quality. Only those habitat improvement projects that involved prescribed burning or major soil disturbance

(tillage or digging) could temporarily increase particulate matter in the local area. The amount of particulate matter that could be released into the local area and how far it may disperse would be dependent on the specific activity taking place, soil type and condition, topography, climate, and wind speed and direction. Programmatic-level air quality impacts with respect to prescribed burning and soil disturbance are described below.

Prescribed burning is a very cost effective and valuable tool that habitat managers utilize to return an area to a more natural fire regime. The disturbance caused by prescribed burning releases nutrients, opens understory, thins out dead plant material, and may be necessary for seed germination of fire-dependent species. Prescribed burning, when used appropriately, can greatly benefit many of the targeted habitat types within the proposed public access program. Additionally, the use of prescribed burning reduces fuel availability to wildfires thereby making wildfires less intense and somewhat easier to control. If it was determined by IDNR that prescribed burning was an appropriate course of action for habitat improvement and the private landowner was in agreement, the action would become part of the habitat management plan and comply with the statewide fire management policy that IDNR is currently developing.

Close correspondence and comprehensive planning would ensure that impacts to air quality would remain negligible from any activities undertaken for the Proposed Action. IDNR is cognizant of air quality budgets and would plan burning activities accordingly. Adherence to all applicable state regulations and the statewide fire management policy would ensure safe and effective prescribed burning practices while minimizing risks to the greatest extent practicable.

In most cases, the proposed projects would occur on current farmland that is already subject to soil disturbance. The potential air quality impacts from soil disturbance during habitat improvement projects would be minor, temporary, and localized. During those habitat improvement projects that would disturb soil, best management practices would be utilized to reduce the possible amount of particulate matter released into the local area or lost to erosion (such as promptly restoring vegetative cover).

It is anticipated that potential impacts to air quality would be minor and they would not affect the current attainment status of the area. Utilization of best management practices as well as adherence to all state air quality regulations, guidelines, and permit requirements would reduce impacts to air quality to negligible levels.

#### **3.5.2.2 No Action Alternative**

Under the No Action Alternative, the new public access program would not be created and no habitat improvement projects would be undertaken on private lands utilizing the VPA-HIP funding. PLP would continue to be available, but would be limited without the additional grant funds from VPA-HIP. While habitat improvement projects and restoration activities would still occur, the benefit from additional improvement projects throughout Iowa utilizing the VPA-HIP funding would not be realized. There would be no change to existing regional or local air quality conditions under the No Action Alternative.

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## **CHAPTER 4.0 CUMULATIVE IMPACTS AND IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES**

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### **4.1 CUMULATIVE IMPACTS**

CEQ regulations stipulate that the cumulative impacts analysis within an Environmental Assessment should consider the potential environmental impacts resulting from “the incremental impacts of the action when added to past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions” (40 CFR 1508.7). Recent CEQ guidance in considering cumulative impacts involves defining the scope of the other actions and their interrelationship with the Proposed Action. The scope must consider geographical and temporal overlaps among the Proposed Action and other actions. It must also evaluate the nature of interactions among these actions.

Cumulative impacts are most likely to arise when a relationship or synergism exists between the Proposed Action and other actions expected to occur in a similar location or during a similar time period. Actions overlapping with or in proximity to the Proposed Action would be expected to have more potential for a relationship than those more geographically separated.

In this PEA, the affected environment for cumulative impacts includes all of the state of Iowa since the public access program would be available statewide; therefore, the proposed habitat improvement projects could occur anywhere in the state on private land. In addition to VPA-HIP, several other federal and state programs in Iowa focus on conservation. Federal programs include the Conservation Reserve Program, Wildlife Habitat Incentives Program, Environmental Quality Incentives Program, and the Wetlands Reserve Program. Wildlife conservation in the state of Iowa is a multi-agency coordinated effort. IDNR and its partners actively solicit input from the public and stakeholders to ensure funding is effectively spent to restore and enhance wildlife populations and habitats.

The potential long-term impacts from habitat improvement projects under the VPA-HIP in combination with other wildlife habitat conservation strategies would have overall long-term, beneficial impacts to the wildlife populations and habitat in the state of Iowa. Increasing public awareness of the presence of important wildlife and game species and minor activities they can do to improve habitat on their land would create an environment to support a sustained wildlife population. Therefore, cumulative impacts are expected to be beneficial to the natural environment.

### **4.2 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES**

Irreversible and irretrievable commitments are related to the use of nonrenewable resources and the effect that the use of these resources has on future generations. Irreversible effects primarily result from the use or destruction of a specific resource that cannot be replaced within a reasonable time frame. Irretrievable resource commitments involve the loss in value of an affected resource that cannot be restored as a result of the action. Under the Proposed Action, long-term beneficial impacts are expected to wildlife populations, game species, and their habitats. There would be no irreversible or irretrievable commitment of resources.

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## **CHAPTER 5.0 MITIGATION MEASURES**

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The purpose of mitigation is to avoid, minimize, or eliminate significant negative impacts on affected resources. CEQ regulations (40 CFR 1508.20) state that mitigation includes:

- Avoiding the impact altogether by not taking a certain action or parts of an action.
- Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
- Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- Compensating for the impact by replacing or providing substitute resources or environments.

CEQ regulations state that all relevant reasonable mitigation measures that could avoid or minimize significant impacts should be identified, even if they are outside the jurisdiction of the lead agency or the cooperating agencies. This serves to alert agencies or officials who can implement these extra measures, and will encourage them to do so. The lead agency for this Proposed Action is FSA. The state partner agency is IDNR.

There are no expected long-term, significant negative impacts associated with implementation of the VPA-HIP in Iowa. State employed biologists or representatives must complete site specific environmental evaluations prior to all habitat improvement projects which would reveal any protected resources on the property. In those site specific instances where a wetland, threatened or endangered species, or a cultural resource may be present, consultation with the appropriate lead agency would identify specific mitigation measures required to eliminate or reduce the negative impacts to an acceptable level.

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## **CHAPTER 6.0 PERSONS AND AGENCIES CONTACTED**

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United States Fish and Wildlife Service

Pheasants Forever

The Nature Conservancy

Iowa Natural Heritage Foundation

Ducks Unlimited

Izaak Walton League

National Wild Turkey Federation

Whitetails Unlimited

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## **CHAPTER 7.0 REFERENCES**

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October 2010.

## **CHAPTER 8.0 LIST OF PREPARERS**

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**APPENDIX A – PROGRAMMATIC AGREEMENT WITH U.S. FISH AND  
WILDLIFE SERVICE AND IOWA STATE HISTORIC PRESERVATION  
OFFICER**

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**PROGRAMMATIC AGREEMENT  
AMONG THE U.S. FISH AND WILDLIFE SERVICE,  
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION,  
THE IOWA DEPARTMENT OF NATURAL RESOURCES,  
AND THE IOWA STATE HISTORIC PRESERVATION OFFICER  
REGARDING  
ADMINISTRATION OF CERTAIN LANDS AND PROJECTS BY THE IOWA  
DEPARTMENT OF NATURAL RESOURCES**

WHEREAS the U.S. Department of the Interior, Fish and Wildlife Service (FWS) provides financial assistance to the Iowa State Department of Natural Resources (DNR) for the acquisition and management of lands, and the conduct of other programs, designed to manage and improve wildlife habitat in the State of Iowa; and

WHEREAS the DNR is responsible for managing such lands and program on a day-to-day basis; and

WHEREAS the acquisition and management of such lands, and the management of such programs, have some potential to affect historic properties, and hence are subject to review under Section 106 of the National Historic Preservation Act (Section 106) and its implementing regulations (36 CFR 800), as well as under Iowa State Law; and

WHEREAS FWS, DNR and the Iowa State Historic Preservation Officer (SHPO) have executed and currently implement an agreement concerning the identification of historic properties under 36 CFR 800.4(b)(1) that specifies standards for such identification, provides a review manual and other guidance, and structures coordination among FWS, DNR, and the SHPO (Identification Agreement; Attachment 1, dated May 7, 2002), and

WHEREAS FWS has developed a standard system for coordinating with Indian tribes about the review of project effects, based on a model developed by the Iowa Department of Transportation in consultation with the tribes, and has initiated government-to-government consultation with the tribes listed in Attachment 2 hereto (Tribal Consultation List dated September 2000) about this system; and

WHEREAS the FWS, DNR, and SHPO have determined that their coordination and communication with the tribes could be further improved and simplified by executing a Programmatic Agreement (PA) building on the Identification Agreement and establishing standard procedures for addressing certain common effects on two major classes of historic property: historic farmsteads and archeological sites; and

WHEREAS the FWS has consulted with the DNR, the SHPO, and the tribes listed in Attachment 2 (tribes) regarding this PA, has notified the Advisory Council on Historic Preservation (ACHP) of its preparation, and has notified the public and solicited public comment on it in draft;

NOW, THEREFORE, it is mutually agreed by the undersigned parties that in administering lands and projects of the FWS in Iowa, FWS and DNR shall ensure that the following stipulations are implemented in order to take into account the effects of such administration on historic properties, and that these stipulations shall govern such administration and all of its parts until this PA expires or is terminated.

### **Stipulations**

FWS shall ensure that the following stipulations are implemented:

#### **I. Application of Identification Agreement.**

FWS and DNR will continue to follow the terms of the Identification Agreement (Attachment 1 hereto) in supporting the conduct of reasonable and good faith efforts to identify historic properties in accordance with 36 CFR 800.4, and to coordinate with the SHPO in carrying FWS and FWS-delegated activities and planning actions on FWS lands administered by DNR.

#### **II. Application of 36 CFR 800.4(c) through 800.7.**

Where properties included in the National Register of Historic Places, or that may be eligible for the National Register, are identified, FWS with the assistance of DNR will determine eligibility and effect on such properties in accordance with 36 CFR 800.4(c), and seek to resolve any effects that are adverse, in compliance with 36 CFR 800.5-7, except as provided in stipulations IV.A and IV.B.

#### **III. Coordination with Tribes.**

**A.** In coordination and cooperation with other State and Federal agencies in Iowa, including but not limited to the Iowa Department of Transportation (IDOT), DNR and FWS will periodically meet and consult with Indian tribes having cultural ties to lands in Iowa, to establish and maintain effective systems for consulting tribes about the impacts of projects on places having cultural importance to them.

**B.** Upon execution of this PA and until modifications are developed through the periodic consultation provided for above, FWS and DNR will routinely employ the notification letter attached hereto as Attachment 3 (Tribal Notification of Proposed Fish and Wildlife Service/Iowa Division of Natural Resources Action) to notify tribes of actions proposed in those counties in which each such tribe has expressed interests. FWS and DNR will routinely notify tribes of all actions that are subjected to the Standard Review Procedure set forth in the Identification

Agreement Review Manual, and of any action subjected to Special Review in accordance with the Review Manual that, upon screening, appears to have the potential to affect a tribe's ancestral sites or traditional cultural properties.

**C.** FWS and DNR will ensure that the tribes are afforded at least 30 days to respond to notification, and that those requesting further consultation or participation in planning are afforded the opportunity for such consultation or participation in a manner that reflects the Federal Government's trust relationship with such tribes and the applicable requirements of Executive Orders 13175 and 12898, and of Section 101(d)(6) of the National Historic Preservation Act.

**D.** Should any tribe object to FWS that it has not been or is not being afforded an adequate opportunity to participate in and influence review of impacts on places important to such tribe, FWS will investigate the matter and work with the tribe, DNR, the SHPO, and others as needed (including, where pertinent, the ACHP) to resolve the objection.

#### **IV. Treatment of Properties Identified**

##### **A. *Standard Treatment of Archeological Sites.***

- (1) Where FWS or DNR identifies, or is notified of, an archeological site on land under its control, or acquires such a site, FWS, or DNR will:
  - (1) Record the site with the Office of the State Archaeologist, completing the necessary forms to place in the State Archaeologist's permanent files; and
  - (2) Stabilize the site under native vegetation using best-recommended procedures for restoration efforts in order to minimize impacts to the site and to other resources.
- (2) Before undertaking such treatment, FWS or DNR will notify the SHPO, and in accordance with Stipulation III, will notify any Indian tribe that has expressed an interest in being notified of the treatment of archeological sites in the pertinent county. FWS or DNR will afford the SHPO and tribes at least 30 days to respond to such notification.
- (3) In the event of an objection to such treatment, or a question pertaining to such treatment, FWS or DNR will consult with the objecting or questioning party to resolve the objection or question, subject to Stipulation VIII.C.
- (4) Should FWS or DNR propose a treatment other than the standard treatment outlined above, FWS or DNR in consultation with the SHPO, any interested tribe and any other interested party, will evaluate the property in accordance with 36 CFR 800.4(c) and complete review in accordance with the applicable sections of 36 CFR 800.

## **B. *Standard Treatment for Buildings, Structures, and Farmsteads***

- (5) Where FWS or DNR acquires a building, structure, or farmstead from a willing buyer, and the building or structure, or some of the buildings and/or structures comprising the farmstead, appear to be fifty years old or greater, FWS or DNR will routinely carry out the following actions:
  - (1) In planning the disposition of the property, give priority to the adaptive use of the building, structure, farmstead, or such elements of the farmstead as are suitable for such use.
  - (2) Complete or cause to be completed an Iowa Site Inventory Form, with all attachments and continuation sheets appropriate to the kind of property involved, except that Sections 5 and 8 of such Form, treating eligibility for the National Register of Historic Places, may be skipped.
  - (3) Submit such Form to the Iowa SHPO and to any interested local organization known to FWS or DNR, or made known to either by the SHPO, with a statement as to the intended disposition of the property, an estimated schedule for such disposition, and, if the disposition does not provide for adaptive use of the property, a request that the SHPO and local groups advise FWS or DNR of any potential adaptive uses for such property that may be known to them.
- (6) Should the SHPO or a local organization request further information, FWS or DNR will make every reasonable effort to supply it.
- (7) Should FWS or DNR propose a treatment other than the standard treatment outlined above, FWS or DNR in consultation with the SHPO and any other interested party, will evaluate the property in accordance with 36 CFR 800.4(c) and complete review in accordance with the applicable sections of 36 CFR 800.

## **V. All Other Property Types and Effects**

FWS and DNR will ensure that effects on all historic property types other than archeological sites and buildings/structures/farmsteads, and all effects other than those which Stipulation IV permits to be addressed using the standard treatments outlined therein, are reviewed in accordance with 36 CFR 800.2 through .7, except that DNR may act as the agent of FWS in the conduct of such review unless and until (1) DNR, the SHPO, and other consulting parties fail to agree on the terms of a memorandum of agreement under 36 CFR 800.6(b)(1), whereupon the responsibility for review will revert to FWS; or (2) FWS does not approve funding for an activity that DNR and SHPO think necessary to comply with Section 106 or an agreement resulting from such compliance, whereupon the responsibility for review will revert to FWS.

## **VI. Participation by Others**

- A.** Pursuant to 36 CFR Section 800.2(c)(4) of the regulations, FWS may authorize an applicant or group of applicants for FWS assistance or permit to initiate consultation in accordance with the Identification Agreement, provided FWS finds that such applicant or group has the capacity to follow the Identification Agreement Review Manual and provided FWS notifies, or has previously notified, the SHPO that the applicant or group is so authorized. Should the SHPO object to such authorization, FWS will consult with the SHPO and applicant to resolve the objection, subject to Section B of the Identification Agreement.
- B.** Where another Federal agency cooperates with, assists, or considers a permit for, an FWS or DNR action that is the subject of review under this PA, FWS, DNR, and the SHPO will encourage such agency to use the Identification Agreement Review Manual in planning its own identification of historic properties, or to defer to FWS as Lead Federal Agency for purposes of such identification, provided the scope of action under consideration by such agency is the same as that of the action under review by FWS, DNR, and the SHPO, and to employ the standard treatments set forth in this Programmatic Agreement where applicable.

## **VII. Training and Information Exchange**

- A.** FWS and DNR will provide training in use of the Identification Agreement Review Manual and the methods set forth in this PA to FWS, DNR, and applicant personnel who may be responsible for implementing the terms of this PA. The SHPO, to the best of its ability, will cooperate with FWS and DNR in providing such training.
- B.** The parties to this agreement will routinely exchange information relevant to its implementation, and will cooperate in assessing the quality of such implementation.

## **VIII. Administrative Stipulations**

- A.** Nothing in this PA relieves FWS of its responsibilities under Sections 110(a)(1), 110(a)(2), 110(d), 110(f), 110(g), 110(k), 110(l), or 111 of the National Historic Preservation Act, the Native American Graves Protection and Repatriation Act, Executive Order 13007, or any other Federal law or requirement.
- B.** Nothing in this PA modifies FWS responsibilities and authorities under any Federal legal requirement except 36 CFR 800; it is mutually understood that the terms of this PA are consistent with, and if carried out will fulfill, applicable FWS responsibilities under Sections 106 and 110(a)(2)(E) of the National Historic Preservation Act.

**C.** Should any party to this PA object in writing to FWS or DNR regarding any action carried out or proposed with respect to the undertaking or implementation of this agreement, FWS or DNR shall consult with the objecting party to resolve the objection.

(8) If after initiating such consultation FWS or DNR determines that the objection cannot be resolved through consultation, FWS shall forward all documentation relevant to the objection to the ACHP, including the FWS's proposed response to the objection, with the expectation that within 30 days after receipt of all pertinent documentation, the ACHP will exercise one of the following options:

(1) Advise FWS that the ACHP concurs in the FWS's proposed response to the objection, whereupon FWS and DNR will respond to the objection accordingly;

(2) Provide FWS with recommendations, which FWS will take into account in reaching a final decision regarding its response to the objection; or

(3) Notify FWS that the objection will be referred for comment pursuant to 36 CFR 800.7(a)(4), and proceed to refer the objection and comment. FWS will take the resulting comment into account in accordance with 36 CFR 800.7(c)(4) and Section 110(l) of NHPA.

(9) Should the ACHP not exercise one of the above options within 30 days after receipt of all pertinent documentation, FWS may assume the ACHP's concurrence in its proposed response to the objection.

(10) FWS shall take into account any ACHP recommendation or comment provided in accordance with this stipulation with reference only to the subject of the objection; FWS's and DNR's responsibilities to carry out all actions under this agreement that are not the subjects of the objection shall remain unchanged.

**D.** At any time during implementation of the measures stipulated in this agreement, should an objection pertaining to this agreement or the effect of a FWS or DNR action on historic properties be raised by a member of the public, FWS or DNR shall notify the parties to this agreement and take the objection into account, consulting with the objector and, should the objector so request, with any of the parties to this agreement to resolve the objection.

**E.** Any party to this PA may propose to FWS that the agreement be amended, whereupon FWS shall consult with the other parties to this PA to consider such an amendment. 36 CFR 800.6(c)(1) shall govern the execution of any such amendment.

**F.** If FWS or DNR determines that it cannot implement the terms of this PA, or if the SHPO, any tribe, or ACHP determine that the PA is not being properly implemented, such party may propose to the other parties to this PA that it be terminated.

- (1) The party proposing to terminate this PA shall so notify all parties to this PA, explaining the reasons for termination and affording them at least 60 days to consult and seek alternatives to termination. The parties shall then consult.
- (2) Should such consultation fail, FWS, DNR, the SHPO or the ACHP may terminate the PA, and any tribe may terminate its participation in the PA's implementation, by so notifying all parties.
- (3) Should this agreement be terminated, FWS shall subject each action that would otherwise be reviewed under its terms to review under 36 CFR 800.3-7.

**G.** During their consideration of whether to extend application of the Identification Agreement beyond April 1, 2007, pursuant to Stipulation D.4 thereof, and during any subsequent consultations about extension of the Identification Agreement, FWS, DNR, and the SHPO will also consider whether this Programmatic Agreement should be amended or terminated. Absent action pursuant to Stipulation VIII.F, however, this Programmatic Agreement will remain in force.

**H.** Should the Identification Agreement not be extended beyond April 1, 2007, or should it be terminated at another time, the parties to this Programmatic Agreement will consult to determine what changes are needed in this Programmatic Agreement, and whether it should be amended or terminated.

Execution and implementation of this Programmatic Agreement evidences that FWS has afforded the ACHP a reasonable opportunity to comment on the undertakings subject to review under its terms, and that FWS is taking into account the effects of such undertakings on historic properties.

Executed:

For the U.S. Department of the Interior, Fish and Wildlife Service

	Date
For the Iowa Department of Natural Resources	

	Date
For the Iowa State Historic Preservation Officer	

	Date
State Historic Preservation Officer	

**ATTACHMENT ONE**  
**IDENTIFICATION AGREEMENT AMONG**  
**THE U.S. DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE,**  
**THE IOWA DEPARTMENT OF NATURAL RESOURCES,**  
**AND THE IOWA STATE HISTORIC PRESERVATION OFFICER**  
**REGARDING CONSULTATION WITH THE STATE HISTORIC PRESERVATION**  
**OFFICER DURING IDENTIFICATION OF HISTORIC PROPERTIES**  
**FOR PURPOSES OF COMPLIANCE WITH**  
**SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT**

WHEREAS the U.S. Department of the Interior, Fish and Wildlife Service (FWS) administers lands and programs in the State of Iowa; and

WHEREAS the Iowa State Department of Natural Resources (DNR) manages many FWS programs and certain FWS lands in Iowa on behalf of FWS, often merging such management with its management of State programs and lands; and

WHEREAS some FWS program activities, the activities of others on FWS lands, and activities assisted by FWS, have potential to affect historic properties as defined at Section 301(5) of the National Historic Preservation Act (NHPA), and hence are subject to consultation with the Iowa State Historic Preservation Officer (SHPO) Indian tribes, and other interested parties under Section 106 of NHPA and its implementing regulations (36 CFR 800, hereinafter "the regulations"); and

WHEREAS some types of action, on certain landforms, while subject to review under the regulations are by their nature or location unlikely to encounter historic properties, or to have adverse effects on such properties in the event they are encountered; and

WHEREAS it is desirable for FWS, DNR, and the SHPO to focus their consultation on those actions that have serious potential for effect on historic properties, while minimizing the time spent on consultation regarding actions having little potential for effect; and

WHEREAS 36 CFR Section 800.4(b)(1) of the regulations requires that FWS make a "reasonable and good faith effort" to identify historic properties subject to effect by actions it carries out, assists, or permits, and 36 CFR Section 800.4(b) assigns to FWS the responsibility to determine what constitutes such an effort, in consultation with the SHPO and others; and

WHEREAS FWS has consulted with DNR and the SHPO about how identification of historic properties should be carried out during planning for actions having little potential for effect on such properties, and specifically about how consultation with the SHPO should be conducted in connection with such identification;



NOW, THEREFORE, it is mutually understood among FWS, DNR, and the SHPO that:

A. Use of Review Manual

1. FWS and DNR will employ the attached Review Manual dated May 1, 2002, (Attachment A) for consulting with the SHPO in planning and conducting identification of historic properties.
2. FWS and DNR in consultation with the SHPO may update the Review Manual from time to time to meet changing needs, within the scope of this agreement's intent and the requirements of law and regulation, including but not limited to 36 CFR 800.
3. Pursuant to 36 CFR Section 800.2(c)(4) of the regulations, FWS may authorize an applicant or group of applicants for FWS assistance or permit to initiate consultation in accordance with the Review Manual, provided FWS finds that such applicant or group has the capacity to follow the Review Manual and provided FWS notifies, or has previously notified, the SHPO that the applicant or group is so authorized. Should the SHPO object to such authorization, FWS will consult with the SHPO and applicant to resolve the objection, subject to Section B of this agreement.
4. Where another Federal agency cooperates with, assists, or considers a permit for, an FWS or DNR action that is the subject of review under this agreement, FWS, DNR, and the SHPO will encourage such agency to use the Review Manual in planning its own identification of historic properties, or to defer to FWS as Lead Federal Agency for purposes of such identification, provided the scope of action under consideration by such agency is the same as that of the action under review by FWS, DNR, and the SHPO.

B. Dispute Resolution.

1. Disputes among the parties to this agreement will be resolved through consultation among the parties, leading to documented agreement as to how the dispute is resolved.
2. Should resolution not result from consultation under Section B.1 above, any party to this agreement may request the advice of the Advisory Council on Historic Preservation (Council) under the authority of 36 CFR Section 800.2(b)(2) of the regulations. FWS will take the Council's advice into account in reaching a final decision about how the dispute will be resolved. FWS decisions regarding such resolution are final, subject to judicial review.
3. Should any member of the public raise a question about the manner in which this agreement is being implemented, or about the appropriateness of its terms, the parties to this agreement will consult to consider whether the question should be treated as a dispute subject to resolution under Section B.1 of this agreement. A question will be treated as such a dispute whenever any party to this agreement determines that it raises issues that require formal resolution. Whatever the decision of the parties regarding how the question will be treated, the parties will decide which of them will respond to the question, and a response will be provided accordingly.

C. Training and Information Exchange

1. FWS and DNR will provide training in use of the Review Manual to FWS, DNR, and applicant personnel who may be responsible for implementing this agreement. The SHPO, to the best of its ability, will cooperate with FWS and DNR in providing such training.
2. The parties to this agreement will routinely exchange information relevant to its implementation, and will cooperate in assessing the quality of such implementation.

D. Amendment, Termination, and Review

4. This agreement may be amended by the parties hereto in the same manner as the original was negotiated and executed.
5. Any party to this agreement may terminate it, provided such party notifies the other party of its intention to terminate, and provides all parties at least thirty (30) days to consult in an effort to avoid termination.
6. Any party to this agreement may request all other parties to meet or otherwise consult to review implementation of this agreement's terms, in response to which request the parties will conduct such a review.
7. This agreement shall expire, and be considered null and void, on April 1<sup>st</sup>, 2007 unless extended by written agreement among the signatories. Should this agreement not be extended, FWS will take or permit no action that might affect historic properties in Iowa until it has established, in consultation with the SHPO and DNR, how it will carry out its identification responsibilities under 36 CFR 800 and completed compliance with 36 CFR 800 with respect to any such action.

E. No Alteration of Other Responsibilities

Nothing in this agreement alters the responsibility of FWS under the regulations, or under other provisions of law, to consult with Indian tribes and involve local governments and the public in its planning; FWS will carry out such consultation and provide for such involvement in accordance with the regulations, following existing Department of the Interior and FWS procedures.

Executed:

For the U.S. Department of the Interior, Fish and Wildlife Service

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Date

For the Iowa Department of Natural Resources

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Date

For the Iowa State Historic Preservation Officer

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Date

**REVIEW MANUAL**

**HOW TO CONSULT WITH THE IOWA STATE HISTORIC PRESERVATION OFFICER (SHPO)  
WHEN DECIDING HOW TO IDENTIFY HISTORIC PROPERTIES  
(AS AMENDED SEPTEMBER 2002)**

**A. Standard Procedure:**

1. At the earliest possible point in project planning, follow the SHPO's "Instructions for Completing Request for SHPO Comment on a Project."
2. In many cases it will be necessary to conduct studies, such as archeological and architectural surveys and tribal consultation, in order to get the information needed to complete the request for SHPO comment. Consult with the Office of the State Archaeologist and the SHPO as needed for assistance in arranging for and conducting these studies, but understand that neither is obligated to conduct such studies on your behalf. It will often be necessary to retain the services of pertinent professionals to conduct such studies.
3. Compile the results of whatever studies are done, and submit these results to the SHPO with the completed Request for SHPO Comment on a Project. Unless the SHPO agrees to a different standard, the basic documentation should include, but is not limited to, the results of an Office of the State Archaeologist Site File search, a sectional photocopy of the appropriate USGS 7.5 minute quadrangle with the project's area of potential effects clearly marked (provided with the Site File search results), and descriptions of the project and its area of potential effects. Attach any other information that is available to support your descriptions and determinations, for example soil information historical references, land use histories, and overview photographs.
4. In organizing material for SHPO review, try to make sure the material is clear and easy to understand. Put yourself in the SHPO's shoes; what would you want to have in the review package, and how would you find the material easiest to deal with.
5. Be sure to conduct the necessary studies and submit the request to the SHPO as early as possible in planning, coordinated with review under the National Environmental Policy Act (NEPA)—that is, during preparation of an Environmental Assessment or during internal review of any categorically excluded action.

6. Once the SHPO responds to the request, consult with the SHPO and others as needed to complete identification and figure out how to manage any impacts on historic properties. Others who may need to be consulted include, but aren't limited to, Indian tribes who may have historical or cultural connections with the area, property owners, local governments, and historical organizations. If you are not sure who to consult, ask the SHPO for advice.
7. Note: FWS, DNR, and the SHPO may from time to time execute agreements that modify the above procedure somewhat. Check with your historic preservation coordinator if you're not sure whether such an agreement applies.

## **B. Special Procedure**

8. Scan the project description to see whether the proposed project falls entirely into one or more of the types listed in Appendix A, "Undertaking Classes That Ordinarily Require No SHPO Review."
  1. If the project does not fall entirely into one or more of the types, proceed with the Standard Procedure described above.
  2. If the project does fall entirely into more than one of the Appendix A types, then note whether it requires **screening**. If not, the project may proceed without SHPO review.
  3. If the project does require screening, ask and answer the questions set forth in Appendix B.
    1. If internal screening indicates that there is potential for impact on historic properties, then either follow the Standard Procedures described above, or consult with the SHPO about an alternative approach.
    2. If internal screening indicates that there is no potential for impact on historic properties, then the project may go forward without SHPO review.
9. FWS or DNR may require review of a "Special Procedure" Appendix A project according to the Standard Procedure set forth above if either believes that such further review is necessary, or if the SHPO requests it.

## **C. Unanticipated Discoveries**

1. Despite our best efforts to identify historic properties before beginning a project, sometimes things are missed, and then discovered during grading or other construction activities. State and (in some cases) Federal laws specify our responsibilities in such cases<sup>1</sup>.

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<sup>1</sup> Iowa Code §144.34 and §263B.7 through §263B.9, and the Iowa Administrative Code §685, Chapter 11. Native American ancestral remains and cultural items on Federal land are protected by the Native American Graves

2. Should bones that might be human, possible grave markers, or artifacts be found in the course of any project, whether reviewed using Standard or Special Procedures, make sure that they are dealt with carefully and respectfully, using methods like those outlined below.
  1. Make sure that all activity that might disturb the discovery is immediately stopped. Secure the discovery site, and leave everything in place with no further disturbance. Put a tarp, plastic sheeting, or other appropriate covering over the exposed remains and weigh it down with loose soil along the edges and the top.
  2. Immediately contact the State Archaeologist, the Director of the Burials Program at the Office of the State Archaeologist of Iowa (319) 384-0740, and the SHPO. Give the State Archaeologist a full opportunity to evaluate the discovery and make recommendations about what to do. Make sure the discovery is protected while this review takes place.
  3. At the same time, consult with appropriate cultural resource authorities in FWS and DNR to determine how to proceed.

**APPENDIX A: UNDERTAKING CLASSES  
THAT ORDINARILY DO NOT REQUIRE SHPO REVIEW**

(As of September, 2002)

**Upland Habitat Activities:**

1. Prairie/grassland Development- the initial planting of native or cool season grasses or improvement by interseeding on lands previously plowed.
2. Woody Cover Management- the development of tree and shrub plantings, such as wind breaks, field borders, or winter cover areas, on lands previously plowed. **SCREENING REQUIRED**

**Activities in Woodlands:**

3. Logging- logging activities in previously unplowed areas that are conducted when the ground is dry or frozen where no subsurface soil disturbance will be caused by the logging activities, including the building of roads. Soil disturbance caused by logging activities in previously plowed areas will not extend deeper than the plow zone. **SCREENING REQUIRED**
4. All Forestry Activities Other Than Logging- all other activities that do not cause subsurface soil disturbance such as forest opening improvement, forest stand improvement, brushland improvement, forest/brushland burns, and planting not more than 800 plants per acre using a tool that opens a slit no more than 6 inches wide and disturbs no more than 36 square inches of surface to a depth not to exceed 10 inches. **SCREENING REQUIRED**

**Wetland. Stream. and Impoundment Activities:**

5. Wetland Borrow- the removal of construction fill from within the bed of an existing or drained wetland consisting of recent silted materials such as Camp Creek Member deposits or from spoil deposited along a ditch bank from previous construction activities and not below original ground surface level. **SCREENING REQUIRED**
6. Wetland Restoration - the restoration of drained wetlands within hydric soils by digging and removing and/or plugging drainage tile and/or plugging drainage ditches. All wetland restoration work will be accomplished within the ponded hydric soil component that is found in closed and semi-closed depressions (i.e. "pothole" soils). Plugging drainage ditches will be accomplished by borrowing fill soils from previously disturbed spoil berm left from ditch construction or by borrowing fill from within the bed of the original wetland basin.  
**SCREENING REQUIRED**
7. Wetland Impoundment and Stream Enhancement - Activities that improve or enhance existing wetland impoundments or stream systems within previously disturbed or recent silted materials such as Camp Creek Member deposits and that do not require permits from the U.S. Army Corps

of Engineers, including (where no Corps permits are required):

- ☐ Water control structure replacement or improvements within an existing dike where soil materials have been previously disturbed by original construction.
- ☐ Physical removal of fish from a wetland, lake, or watercourse using chemical toxicants or traps with no disturbance to shoreline soils.
- ☐ Dike, spillway, and/or outlet improvement or replacement using heavy equipment within the boundaries of previously disturbed soils from the original construction.

**SCREENING REQUIRED**

- ☐ The construction of dugouts or potholes in the wetland bottom using earth moving equipment within the bed of an existing or restored wetland, stream, or impoundment consisting of recent silted materials such as Camp Creek Member deposits.

**SCREENING REQUIRED**

- ☐ The hand or mechanical removal of unwanted aquatic vegetation or the planting of desirable aquatic vegetation within the bed of an existing or restored wetland or impoundment, consisting of recent silted materials such as Camp Creek Member deposits. **SCREENING REQUIRED**

- ☐ The construction of waterfowl nesting islands or fish habitat using fill from the wetland basin consisting of recent silted materials such as Camp Creek Member deposits.

**SCREENING REQUIRED**

- ☐ The placement of new or improvements of existing overwater waterfowl nesting structures or fish habitats within the bounds of an existing or restored wetland or impoundment consisting of recent silted materials such as Camp Creek Member deposits.

**SCREENING REQUIRED**

- ☐ The installation or replacement of fish barriers on existing water control structures or dam where no new disturbances of soil surface outside of the streambed consisting of recent silted materials such as Camp Creek Member deposits will result. **SCREENING REQUIRED**

- ☐ The landscaping of banks in previously disturbed areas or in soils basin consisting of recent silted materials such as Camp Creek Member deposits. **SCREENING REQUIRED**

8. Wetland Maintenance -Activities that maintain existing or original design specifications or conditions of restored wetlands or existing impoundments consisting of previously disturbed soils or recent silted materials such as Camp Creek Members. Activities include:

- ☐ Water level management below the established ordinary high water level by manipulating water levels using pumps or variable crest water control structures.
- ☐ Maintenance of existing waterfowl nesting structures, artificial islands, fish habitats, riprapped shorelines, or exclosures.
- ☐ Repair or maintenance of existing water control structures or dikes within the bounds of original construction and original ground disturbance **SCREENING REQUIRED**(*Note: new borrow areas should be submitted for SHSI review*).

**Facility Development Activities:**

9. User Facility Development- Activities that develop new public use facilities that have no disruptive impact on the landscape. Activities include:

- ☐ The placement of parking lot posts driven or augured into the ground with posts that do not exceed 12 inches in diameter.
- ☐ Installation of wood routed information signs on one or two wooden posts driven or augured into the ground with posts that do not exceed 12 inches in diameter.
- ☐ Installation of above ground hunting blinds in hydric soils placed on gravel surface material not to exceed 12 inches in depth or using posts that do not exceed 12 inches in diameter. **SCREENING REQUIRED**
- ☐ Development of primitive campsites by brushing or surface clearing vegetation. **SCREENING REQUIRED**
- ☐ installation of surface fire rings that result in no subsurface disturbance as a result of any of these activities.
- ☐ Installation of wildlife observation platforms in hydric soils or previously disturbed soils on posts augured into the ground using posts that do not exceed 12 inches in diameter. **SCREENING REQUIRED**
- ☐ Development of new parking lots and their access roads in previous agricultural fields by surface leveling within the plow zone and/or the placement of gravel surfacing or asphalt not to exceed 12 inches in depth and 10,000 square feet in area. **SCREENING REQUIRED**
- ☐ Development of new angler access from material consisting of recently silted materials such as Camp Creek Member deposits, such as pathways, jetties, or piers. **SCREENING REQUIRED**

10. User Access Improvement- the periodic improvement or regular maintenance of existing user facilities, PROVIDED no permit is required from the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act or other authorities (Permit actions require further review by the Corps, in consultation with the SHPO, FWS, and other parties). Soil borrow areas, if used, will be reviewed as separate undertakings. Activities include:

- ☐ The periodic improvement or regular maintenance of existing vehicle access roads and multi-purpose trails. Improvement activities include reshaping existing road surface within the bounds of prior construction disturbance, placement of gravel surface or asphalt material and placement, or replacement of culverts within the bounds of prior construction disturbance. Maintenance activities include grading to recrown road surface, placement of small amounts of gravel or asphalt in potholes, and/or minor repair to existing culverts.
- ☐ The periodic improvement of an existing primitive or developed water access site by the placement of gravel/rock fill and/or placement of concrete planks on the surface of an existing boat ramp or portage without shaping or grading undisturbed surfaces.



- ☐ The periodic improvements of angler access sites or shoreline rip rap by placement of gravel/rock fill or asphalt/concrete on the surface of an existing angler access without shaping or grading of undisturbed surfaces, such as pathways, jetties, or piers.
11. Well sealing- according to Iowa State standards or regulations, the sealing of abandoned modern steel cased wells 4 to 6 inches in diameter, agricultural drainage wells, or wells of clay, tile, or cement less than 50 years of age and the removal of above ground well head pipes. May also include the holing and filling of cisterns and catch basins. **REQUIRES SCREENING AND MUST MEET FOLLOWING STANDARDS:**
- ☐ Well-capping activities will be conducted without causing disturbance below the plow zone.
  - ☐ Fill material required for well-capping activities will be acquired from a previously approved and/or existing borrow area.
12. Site/Building Clean-Up- the removal and hauling away of household and farm trash, discarded fencing, and site litter from fields, ravines, and historical dump sites or farmsteads that have been previously evaluated as not eligible for the National Register of Historic Places (NRHP) without disturbing sub-surface soils. Removal of trash or buildings from farmsteads that have not been evaluated for the NRHP must be reviewed by the SHPO according to standard procedures pending completion of a Programmatic Agreement governing this activity. **SCREENING REQUIRED.**
13. Fence Construction- the installation of fences, fence posts, signs, or gates along the boundary of FWS and DNR areas that does not result in soil disturbance from fenceline clearing or other site preparation activity other than post placement, using steel posts or posts not exceeding 12 inches in diameter. **SCREENING REQUIRED.**

#### **Historic Buildings and Structures on FWS and DNR Managed Lands:**

14. Building Stabilization Activities- these activities involve the act or process of applying measures designed to reestablish a weather resistant enclosure and the structural stability of an unsafe or deteriorated structure while maintaining the essential form as it exists at present. **SCREENING REQUIRED.** Stabilization includes measures such as:
- ☐ Reinforcement of loadbearing members accomplished in such a manner to detract as little as possible from the property's appearance; and
  - ☐ Arresting the deterioration of material subject to structural failure.
15. Building Protection Activities- this generally involves the least degree of invention. **SCREENING REQUIRED.** Protection, being preparatory to other work, includes measures such as:

- ☐ Unobtrusive installation of temporary fencing, security lighting, protective plywood, fire detection and suppression systems, alarm systems, and other short-term protective measures without causing damage to the historic materials.
- ☐ Unobtrusive installation of environmental monitoring units ( e.g. those for water and air quality).
- ☐ Emergency stabilization work necessary to protect damaged historic fabric from additional damage.

16. Building Repair- These activities occur when the physical condition of character-defining materials and features warrants additional work, repairing will be permitted when done according to recommend approaches in the Secretary of the Interior's Standards for Rehabilitation and the accompanying guidelines. **SCREENING REQUIRED.** Repair activities include:

- ☐ Repair of historic materials such as masonry, wood, and architectural metals. These repairs shall be done with the least degree of intervention possible (such as patching, piecing-in, splicing, consolidating, or otherwise reinforcing or upgrading) and according to accepted preservation methods.
- ☐ Repair also includes the limited in-kind replacement of extensively deteriorated, worn, broken, or missing parts of features, when there are surviving prototypes (for example, brackets, dentils, steps, plaster, or portions of slate or tile roofing). Using the same kind of material will always be the preferred option.
- ☐ Compatible substitute materials of equivalent durability may be used after all other options for repairing and replacements in-kind have been ruled out. Such substitute material may be acceptable only if the form and design, as well as the substitute material itself convey the visual appearance of the remaining parts of the feature and finish.

17. Replacement of Non-character Defining Features- ordinarily, undertakings involving total replacement require an individual review. In the following instances, however, such replacement will be allowed without a review where the work can be done without affecting visual character-defining features, the plan, material and appearance of the building or structure. **SCREENING REQUIRED**

- ☐ Repairing mechanical systems (heating, air conditioning, electrical, and plumbing) by augmenting or upgrading system parts, such as installing new pipes and ducts; rewiring; or adding new compressors or boilers;
- ☐ Replacing in-kind, or with compatible substitute material, those visible features of mechanical systems that are either extensively deteriorated or are missing, 'when there are surviving prototypes (such as ceiling fans, switch plates, radiators, grilles, or plumbing fixtures).
- ☐ Replacement or repair of deteriorated decking and roof covering with equivalent
- ☐ substitute materials in cases where the roof of a building or structure is not a character-defining feature. An individual review would be needed, for example, in the case of the

lodge/shelter building at Palisades-Kepler Park where the roof is an important character-defining feature.

### **Maintenance Activities:**

18. Prairie/grassland improvement- the improvement of existing stands of planted prairie or cool season grass by mechanical mowing or hand-clipping of invading brush or by interseeding on lands previously plowed.
19. Prairie/grassland Prescribed Burns- the management of grasslands using accepted prescribed burning techniques including the mowing of fire breaks on lands previously plowed.
20. Food Plot Development- the planting of annual feed grain or grass/legume food plots on lands previously plowed.
21. Noxious Weed Control- the control of surface vegetation by mowing, clipping, or chemical control practices.
22. Angler Access Maintenance- of existing angler accesses and riprapped shorelines, PROVIDED no permit is required from the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act or other authorities (Permit actions require further review by the Corps, in consultation with the SHPO, FWS, and other parties).
23. Parking Lot Maintenance- Improvement of existing primitive parking lots by minor surface leveling in previous agricultural fields by surface leveling and/or the placement of gravel surfacing not to exceed 12 inches in depth within existing parking lots. **SCREENING REQUIRED**
24. Building Maintenance Activities- these projects include housekeeping, routine and cyclic maintenance scheduled to arrest or retard wear and deterioration without altering the appearance of the resource. It involves the act or process of applying to a cultural resource particular preservation treatment defined as follows:
  - ☐ Housekeeping is that portion of maintenance that removes undesirable or harmful deposits of soil in a manner that does the least amount of harm to the surface treated. Housekeeping is repeated at short time intervals so that the soil removal can be done with the gentlest and least radical methods
  - ☐ Routine maintenance is that portion of maintenance that usually consists of: service activities such as tightening, adjusting, oiling etc.; maintenance of historic material through treatments such as rust removal, caulking, limited paint removal, re-application of protective coatings; and periodic cleaning of roof gutter systems. **SCREENING REQUIRED**
  - ☐ Cyclic maintenance is that portion of maintenance that is performed less frequently than

annually and usually involves mending of the fabric of a structure or object.

**SCREENING REQUIRED**

**Other Undertakings That May Be Excluded from SHPO Review**

25. Reconstruction of Bridges- the reconstruction or repair on existing alignment, of bridges, bridge decks, or other structural bridge repairs for bridges less than 50 years of age, if they do not meet the National register Criteria Consideration "0" for exceptional significance (e.g., bridges of prototypical or non-standard design). **SCREENING REQUIRED**
26. Bicycle and Pedestrian Facilities- Reconstruction, rehabilitation, widening, maintenance or other activities related to existing bicycle and pedestrian facilities, trails, walks, paths, and sidewalks within previously disturbed areas. **SCREENING REQUIRED**
27. Culvert Extensions or Replacements- the extension or replacement of culverts in previously disturbed areas or within existing right of way. **SCREENING REQUIRED**
28. Routine Grounds Maintenance- these activities would involve routine lawn care such as grass cutting, and tree trimming.
29. Landscaping and Erosion Control - except when such removal would affect known archaeological deposits; these activities include:
  - ☐ The treatment, maintenance, and replacement of all vegetative material, native or planted. Work entailing watering, fertilizing, or weed control by hand or mechanical means. Weed trimming and cutting by hand or mechanical means. Tree trimming and cutting by hand.
  - ☐ Tree removal when required for public safety or because of disease infestation or pest control (trenching activities for disease control such as for Oak Wilt require review according to standard process) **SCREENING REQUIRED**
30. Underground Utility Systems- Replacement or renovation of underground utility systems using existing alignments; or placement, maintenance, or replacement of utility lines, transmission lines, and fences within previously disturbed areas. **SCREENING REQUIRED**
31. Health and Safety Activities- these activities would include radon mitigation, removal of buried oil tanks, and the dust-free removal of asbestos and lead paints abatement (in situ only). **SCREENING REQUIRED**
32. Fence Removals - fence materials removed under the following conditions:
  - ☐ The fence is manually removed from the posts.
  - ☐ The removal of the posts will be conducted during dry conditions or under frozen ground conditions.
  - ☐ The fence posts will be individually removed in a vertical manner within the fence posts

currently existing location creating a minimal amount of ground disturbance that will be limited to the currently existing plow zone.

- ☐ Utilization of heavy machinery to remove fence posts will not involve any type of landscaping or ground disturbance. The heavy machinery will not be used to backfill the posthole.
- ☐ Removal of vegetation from the former fence row will involve cutting the vegetation off at ground level. Heavy machinery such as a tractor or a truck can be used to haul away removed vegetation during dry conditions or under frozen ground conditions to minimize potential ground disturbance.
- ☐ If it is necessary to dispose of the fencing material by the excavation of a deep hole, or burial of old fence posts and wire that could potentially affect a significant archaeological site, such excavation or burial requires review as a separate action under the applicable portion of this Review Manual.

33. Acquisition of land from willing sellers or donors where there will be no immediate change to the property or its improvements (Further review under this agreement will be required, possibly including archeological and/or architectural studies and consultation with interested parties, when land use plans are developed and before any changes are made to the land or its improvements). **SCREENING REQUIRED.**

## APPENDIX B, SCREENING SYSTEM FOR EXCLUDED UNDERTAKINGS

---

### Date

Where screening is required when planning an undertaking that falls into one of the classes listed in Appendix A, "Undertaking Classes That Ordinarily Require No SHPO Review," screen the undertaking by asking the following questions. Of course, some questions will be more relevant than others to a particular project.

If the answer to any of the following questions is "yes," or if it is not possible to answer the question with reasonable certainty, then either conduct the studies necessary to justify a "no" answer and document the results accordingly, or submit the undertaking for SHPO review in accordance with the standard procedure set forth in Section I of this Review Manual.

1. 1. Is there any reason to think that the undertaking could affect a traditional cultural property – that is, a place regarded by an Indian tribe or local community as important in its cultural traditions – in a manner offensive to people who value such property? It will usually be necessary to consult with possibly concerned tribes or other communities to determine the answer to this question. The following are examples of situations in which such effects might be of concern:
  - a) Changing a wetland or other area which may be used for hunting, fishing, or plant gathering in a way that will affect the tribe's or community's ability to continue doing such things.
  - b) Altering a bridge or other structure that while of little architectural or engineering interest may be regarded as an important place by a community for its associations with the community's traditions.
  - c) Physically changing, or introducing visual or other changes into the environment, of a place that may be associated with the traditional beliefs or practices of an Indian tribe or other community.
2. Is there any reason to think that the undertaking that involves disturbance of the ground might result in the disturbance of graves, whether marked or unmarked, associated with the ancestors of Indian tribes or with any other group? Answering this question will typically require consultation with the Office of the State Archaeologist's Burial Program, the County Coroner's Office, and often with interested Indian tribes or other communities. Local collectors of Indian artifacts may also provide knowledgeable advice on this question, and maps or local traditions may identify "burial sites," "mounds," or "cemeteries," or use other terms suggesting the possible presence of graves. The existence of human remains or mortuary sites in the area may also be indicated in the state archeological site records maintained by the Office of the State Archaeologist.
3. If the undertaking appears to be excludable from review based on having impacts only within

the plow zone, is there any reason to think that impacts might extend below the plow zone? For example, if chisel plowing within an area previously subjected only to disking will cause disturbance below the plow zone.

4. If the undertaking appears to be excludable from review based on having potential to disturb only recent silted materials such as Camp Creek Member deposits, or disturbed material such as that making up existing dikes, is there any reasonable possibility that other soils might be affected directly or indirectly? In general, the potential for impact only on recent silted or disturbed materials should be documented by a knowledgeable soil scientist or archeologist.
5. If the undertaking involves construction or improvement of visitor facilities such as parking lots, is there any reason to think that such construction could have effects on historic properties beyond the zone of construction impacts, for example by facilitating uncontrolled visitor access to culturally sensitive areas or archeological sites?
6. If the undertaking involves stabilization or protection of a historic building or structure, are you sure that the work will be done in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties?

## APPENDIX C: DEFINITIONS

---

### Date

- A. "Area of Potential Effect" means the geographic area or areas within which an undertaking may cause changes in the character or use of historic properties, if any such properties exist.
- B. "Historic Property" means any prehistoric or historic district, site, building, structure, or object included on, or eligible for inclusion in, the National Register of Historic Places.
- C. "Traditional Cultural Property" means a property that has association with cultural practices or beliefs of a living community that (a) are rooted in that community's history, and (b) are important in maintaining the continuing cultural identity of the community. Traditional Cultural properties can include any type of historic properties, including cultural landscapes, that have significance in a community's or ethnic group's historically rooted beliefs, customs, and practices.
- D. "Undertaking" means any project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency; for purposes of this agreement such term refers to projects, activities, or programs under the direct or indirect jurisdiction of FWS. Undertakings include those carried out by or on behalf of FWS or another Federal agency, those carried out with Federal financial assistance, those requiring a Federal permit, license, or approval, and those subject to State or local regulation administered pursuant to a delegation or approval by FWS or any other Federal agency.
- E. "Character" means all those visual aspects and physical features that comprise the appearance of every historic place. Character-defining elements include the overall shape of a building or structure, its materials, craftsmanship, decorative details, features, interior spaces and finishes, as well as the various aspects of its site and environment, feeling and setting. When these character-defining qualities are present, a property is said to have historic integrity or, in other words, the authenticity of a property's historic identity is evidenced through survival of physical characteristics that existed during the property's period of significance."
- F. "Camp Creek Member" refers to stratified sediments usually historic in age dating from 400 years before present to modern times. These sediments often contain artifacts dating to the historic period such as tin cans, fence wire, and glass. These sediments are layered in horizontal beds that vary in thickness and may be disrupted by plant rooting and animal burrowing in the most upper layer.



**ATTACHMENT TWO  
TRIBAL CONSULTATION LIST**

Tribes to be consulted in implementing Fish and Wildlife Service projects and activities in Iowa.  
(32 tribes)

Delaware Nation of Oklahoma	Upper Sioux Community of Minnesota
Iowa Tribe of Oklahoma	Santee Sioux tribe
Iowa Tribe of Kansas and Nebraska	Sisseton-Wahpeton sioux Tribe
Kickapoo Tribe in Kansas	Yankton Sioux
Kickapoo Traditional Tribe of Texas	Devils Lake Sioux
Kickapoo Tribe of Oklahoma	Shakapee Mdewakanton Sioux
Three Affiliated Tribes (Mandan, Hidatsa, and Arikara Nations)	Flandreau Santee Sioux
Miami Tribe of Oklahoma	Lower Sioux Mdewakanton Indian Com.
Miami Tribe of Nebraska	Winnebago Tribe of Nebraska
Osage Nation of Oklahoma	Ho-Chunk Nation of Wisconsin
Otoe-Missouria Tribe	Wyandotte Nation
Pawnee Tribe of Oklahoma	
Peoria Indian Tribe of Oklahoma	
Ponca Tribe of Nebraska	
Prairie Band Potawatomi Nation	
Citizen Potawatomi Nation	
Sac and Fox Tribe of the Mississippi in Iowa	
Sac and Fox Tribe of the Missouri in Kansas	
Sac and Fox Nation of Oklahoma	

**ATTACHMENT THREE**  
**U.S. Fish and Wildlife Service/Iowa Department of Natural Resources**  
**TRIBAL NOTIFICATION**

Date: \_\_\_\_\_ FWS/DNR contact: \_\_\_\_\_  
Project Identifier: \_\_\_\_\_ Phone #: \_\_\_\_\_  
Location: \_\_\_\_\_ E-mail: \_\_\_\_\_  
Description: \_\_\_\_\_

Type of Project (see map)  
☐ VERY SMALL (Little or no ground disturbance) ☐ LARGE  
☐ SMALL (Disturb less than 12 inch depth)

Type of Coordination/Consultation Points  
☐ Early project notification ☐ Consultation regarding site treatment  
☐ Notification of survey findings ☐ Final Data Recovery Report  
☐ Notification of site evaluation

Type of Findings  
☐ No American Indian sites found ☐ Possibly significant American Indian  
☐ No American Indian sites eligible for sites found; Phase II evaluation conducted  
☐ National Register of Historic Places ☐ Impact to eligible American Indian sites cannot be avoided  
☐ Impact on eligible American Indian ☐ Burial site found  
sites avoided  
\_\_\_\_ # of ineligible sites \_\_\_\_\_ # of possibly eligible sites  
\_\_\_\_ # of eligible sites \_\_\_\_\_ # of burial sites

Affected National Register/Eligible Properties and/or Burial Sites  
☐ Investigating options ☐ Protected ☐ Propose further consultation re.  
☐ Impact avoided ☐ Data recovery/MOA protection options

**Please Respond**

Who should we contact for site/project related discussions?

\_\_\_\_\_  
Name Street Address City, Zip Code  
\_\_\_\_\_  
Phone E-mail

Do you know of any sensitive areas within or near the project that FWS/DNR should avoid, or to which we should give special attention (please describe)? \_\_\_\_\_

Do you have any special suggestions or requests regarding the project (e.g. plants or wildlife to whose restoration or protection we should give special attention)? \_\_\_\_\_

☐ Thank you for the information; however, we do not need to consult on this particular project  
☐ We do not have a comment at this time but request continued notification on this project  
☐ Please send a copy of the archeology report  
☐ Thank you for the information. We are satisfied with the planned site treatment  
☐ We have concerns and wish to consult  
☐ We wish to participate in the Memorandum of Agreement on this project.

Comments:: \_\_\_\_\_

\_\_\_\_\_  
Name Name of tribe Date

## **APPENDIX B – AGENCY CORRESPONDENCE**

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March 25, 2011

**United States  
Department of  
Agriculture**

Farm and Foreign  
Agricultural  
Services

Farm Service  
Agency

1400 Independence  
Ave, SW  
Stop 0513  
Washington, DC  
20250-0513

**TO:** USFWS - IA Field Office  
1511 47th Avenue  
Moline, IL 61265

**FROM:** Matthew T. Ponish  
United States Department of Agriculture, Farm Service Agency  
National Environmental Compliance Manager

**SUBJECT:** Final Programmatic Environmental Assessment/Finding of No Significant Impact for Voluntary Public Access Habitat Incentive Program in the State of Iowa

The United States Department of Agriculture, Farm Services Agency on behalf of the Commodity Credit Corporation and the State of Iowa's Department of Natural Resources has prepared a Final Programmatic Environmental Assessment (PEA) and Finding of No Significant Impact (FONSI) to examine the potential environmental consequences associated with implementing a Voluntary Public Access Habitat Incentive Program in the State of Iowa. The PEA examines the Proposed Action and the no action alternative environmental baseline on natural and socioeconomic resources.

A copy of the Final PEA/FONSI has been provided on CD for your convenience. The Final PEA is also available at the following website:  
<http://www.fsa.usda.gov/FSA/webapp?area=home&subject=ecrc&topic=nep-cd>.

The agency is accepting comments until **April 28, 2011**.

Comments may be e-mailed to: Dana Banwart at [dhbanwart@tecinc.com](mailto:dhbanwart@tecinc.com)

Written comments may be mailed to:

TEC Inc.  
11817 Canon Blvd., Suite 300  
Newport News, VA 23606

We appreciate your review and look forward to receiving your comments.

Matthew T. Ponish

Enclosure: 1 CD



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1400 Independence  
Ave, SW  
Stop 0513  
Washington, DC  
20250-0513

**TO:** Pheasants Forever – (John B. Linquist, Western Iowa Regional Representative)  
919 7th Street  
Sibley, IA 51249

**FROM:** Matthew T. Ponish  
United States Department of Agriculture, Farm Service Agency  
National Environmental Compliance Manager

**SUBJECT:** Final Programmatic Environmental Assessment/Finding of No Significant Impact for Voluntary Public Access Habitat Incentive Program in the State of Iowa

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1400 Independence  
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Washington, DC  
20250-0513

**TO:** The Nature Conservancy (Sean McMahon, Iowa State Director)  
303 Locust Street, Suite 402  
Des Moines, IA 50309

**FROM:** Matthew T. Ponish  
United States Department of Agriculture, Farm Service Agency  
National Environmental Compliance Manager

**SUBJECT:** Final Programmatic Environmental Assessment/Finding of No Significant  
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1400 Independence  
Ave, SW  
Stop 0513  
Washington, DC  
20250-0513

**TO:** Iowa Natural Heritage Foundation (Mark Ackelson, President)  
505 Fifth Avenue, Suite 444  
Des Moines, IA 50309-2321

**FROM:** Matthew T. Ponish  
United States Department of Agriculture, Farm Service Agency  
National Environmental Compliance Manager

**SUBJECT:** Final Programmatic Environmental Assessment/Finding of No Significant  
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1400 Independence  
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Washington, DC  
20250-0513

**TO:** Ducks Unlimited (Eric Lindstrom, Iowa Regional Biologist)  
3808 Westlawn Drive  
Ames, IA 50010

**FROM:** Matthew T. Ponish  
United States Department of Agriculture, Farm Service Agency  
National Environmental Compliance Manager

**SUBJECT:** Final Programmatic Environmental Assessment/Finding of No Significant Impact for Voluntary Public Access Habitat Incentive Program in the State of Iowa

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1400 Independence  
Ave, SW  
Stop 0513  
Washington, DC  
20250-0513

**TO:** Izaak Walton League  
321 E Walnut, Ste. 130  
Des Moines, IA 50309-2048

**FROM:** Matthew T. Ponish  
United States Department of Agriculture, Farm Service Agency  
National Environmental Compliance Manager

**SUBJECT:** Final Programmatic Environmental Assessment/Finding of No Significant Impact for Voluntary Public Access Habitat Incentive Program in the State of Iowa

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1400 Independence  
Ave, SW  
Stop 0513  
Washington, DC  
20250-0513

**TO:** National Wild Turkey Federation  
770 Augusta Road  
Edgefield, SC 29824-0530

**FROM:** Matthew T. Ponish  
United States Department of Agriculture, Farm Service Agency  
National Environmental Compliance Manager

**SUBJECT:** Final Programmatic Environmental Assessment/Finding of No Significant Impact for Voluntary Public Access Habitat Incentive Program in the State of Iowa

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Farm Service  
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**FROM:** Matthew T. Ponish  
United States Department of Agriculture, Farm Service Agency  
National Environmental Compliance Manager

**SUBJECT:** Final Programmatic Environmental Assessment/Finding of No Significant  
Impact for Voluntary Public Access Habitat Incentive Program in the State of  
Iowa

The United States Department of Agriculture, Farm Services Agency on behalf of the Commodity Credit Corporation and the State of Iowa's Department of Natural Resources has prepared a Final Programmatic Environmental Assessment (PEA) and Finding of No Significant Impact (FONSI) to examine the potential environmental consequences associated with implementing a Voluntary Public Access Habitat Incentive Program in the State of Iowa. The PEA examines the Proposed Action and the no action alternative environmental baseline on natural and socioeconomic resources.

A copy of the Final PEA/FONSI has been provided on CD for your convenience. The Final PEA is also available at the following website:  
<http://www.fsa.usda.gov/FSA/webapp?area=home&subject=ecrc&topic=nep-cd>.

The agency is accepting comments until **April 28, 2011**.

Comments may be e-mailed to: Dana Banwart at [dhbanwart@tecinc.com](mailto:dhbanwart@tecinc.com)

Written comments may be mailed to:

TEC Inc.  
11817 Canon Blvd., Suite 300  
Newport News, VA 23606

We appreciate your review and look forward to receiving your comments.

Matthew T. Ponish

Enclosure: 1 CD