



Form Species Analysis

Project Name: **I-35 from North of SE Inner Loop to South of RM 1431**

CSJ(s): **0015-09-186** and **0015-09-187**

County(ies): **Williamson**

Date Analysis Completed: **9/10/2020**

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The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 9, 2019, and executed by FHWA and TxDOT.

I. Endangered Species Act

Select the appropriate statement below based on the determinations recorded in the completed project-specific species analysis spreadsheet:

- This project does not require consultation with or authorization from the USFWS under the Endangered Species Act.
- This project requires consultation with or authorization from the USFWS under the Endangered Species Act.

For a project that requires federal authorization or approval, if the completed project-specific species analysis spreadsheet indicates, "May affect," for any species, then consultation with the USFWS is required under section 7 of the Endangered Species Act and the second checkbox above must be checked.

For more information regarding the Endangered Species Act, see **ENV's Endangered Species Act Handbook**.

II. TPWD Coordination

Select the appropriate statement below:

- This project consists solely of maintenance activities that are of a type or type(s) covered by the Maintenance Program Environmental Assessment, and therefore no coordination with TPWD is required. Do not fill out a separate Tier I Site Assessment Form.
- This project does not consist solely of maintenance activities that are of a type or type(s) covered by the Maintenance Program Environmental Assessment, and therefore a Tier I Site Assessment is required.



III. Bald and Golden Eagle Protection Act (BGEPA)

Select the appropriate statement below:

- Three checkbox options regarding BGEPA compliance: 1) Not within 660 feet, no coordination required. 2) Within 660 feet, no construction during nesting season, will adhere to 2007 guidelines, no coordination required. 3) Within 660 feet, construction during nesting season or non-adherence to 2007 guidelines, coordination and permit required.

For more information regarding BGEPA, see Section 7.0 of ENV's Ecological Resources Handbook.

IV. Migratory Bird Protections

This project will comply with applicable provisions of the Migratory Bird Treaty Act (MBTA) and Texas Parks and Wildlife Code Title 5, Subtitle B, Chapter 64, Birds. It is the department's policy to avoid removal and destruction of active bird nests except through federal or state approved options. In addition it is the department's policy to, where appropriate and practicable:

- Two bullet points: 1) use measures to prevent or discourage birds from building nests on man-made structures within portions of the project area planned for construction, and 2) schedule construction activities outside the typical nesting season.

For more information regarding migratory bird protections, see ENV's Guidance: Avoiding Migratory Birds and Handling Potential Violations and Section 3.0 of ENV's Ecological Resources Handbook.

V. Resources Consulted

Indicate which resources were consulted/actions were taken to make the species analysis determinations recorded in this form (DO NOT ATTACH TO THIS FORM OR UPLOAD TO ECOS ANY RESOURCES CONSULTED – JUST CHECK THE APPROPRIATE BOX(ES)):

- Grid of checkboxes for resource consultation: Aerial Photography, Topographic Map, Natural Diversity Database (NDD), Karst Zone Maps, Ecological Mapping System of Texas (EMST), Site Visit, Species Expert Consulted, Species Habitat or Presence/absence Survey.

Other: _____