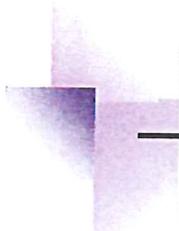


EXHIBIT C

**BIOLOGICAL EVALUATION
AND
SUPPORTING AGENCY DOCUMENTATION**





BIOLOGY SOIL & WATER, INC.

3102 N. Girard Road, Spokane Valley, WA 99212-1529

Cayla Morgan
Environmental Protection Specialist
Seattle Airports District Office, ANM-632
Federal Aviation Administration
1601 Lind Avenue SW
Renton, WA 98055

February 3, 2014

RE: Biological Evaluation for the McFarlane and Lawson (EMFCO) property

Greetings Cayla Morgan:

Please find attached a Biological Evaluation (BE) for the Spokane International Airport property referred to as the McFarlane and Lawson property proposed for sale to Exotic Metals Forming Company (EMFCO) of Kent, Washington for potential future industrial development. The subject property, located northwest of the SIA main airport facility and runways, encompasses 56.6 acres in the NE 1/4 of Section 35, T25N, R41E WM. The site, located approximately 1 mile west of Hayford Road on the south side of McFarlane Road, includes SIA non-aeronautical development land. EMFCO proposes the construction of a 150,000 square foot concrete tilt-up building, with a maximum height of 40 feet. In addition there will be additional impervious surface area associated parking, loading, etc..

The project will have "no effect" (NE) on the Threatened species Bull trout, Water howellia, Spalding's silene, Ute ladies'-tresses, or the Candidate species Yellow-billed cuckoo. The project will not result in the destruction or adverse modification of designated critical habitat. The site was evaluated for the Washington Department of Fish and Wildlife priority habitats listed as "Eastside Steppe" and "Shrub-Steppe Terrestrial." There will be No Effect on steppe habitat because the Action Area was converted to agriculture and cultivated for 50 years. The site does not meet any of the Department of Natural Resources (DNR) criteria for High Quality Terrestrial Habitat. The site was evaluated for compliance with the Migratory Bird Treaty Act. The project will have No Effect on any migratory bird species, wetlands, or streams.

Please review the attached BE and evaluation of effects for the project to decide if concurrence with the determination of No Effect is warranted. Please contact me at your convenience if you have questions. Thank you for your assistance on this project.

Respectfully submitted,



Larry Dawes
Biology Soil & Water, Inc
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BIOLOGICAL EVALUATION

McFarlane and Lawson Property
under consideration for sale by Spokane International Airport
to the Exotic Metals Forming Company (EMFCO)
site located in NE 1/4 of Section 35, T25N, R41E
City of Airway Heights, Spokane County, WA
February 3, 2014



**Biology
Soil &
Water, Inc.**

BIOLOGICAL EVALUATION

for the

McFarlane and Lawson Property
under consideration for sale by Spokane International Airport
to the Exotic Metals Forming Company (EMFCO)

site located in
site located in NE 1/4 of Section 35, T25N, R41E
City of Airway Heights, Spokane County, WA

Retained by

Leppo Consulting, LLC.
Contact Person: Jeff Leppo
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Spokane, WA 99223
Phone: (509) 535-4747
Email: leppocon@msn.com

Investigated by

Biology Soil & Water, Inc.
Contact Person: Larry Dawes, Principal Biologist
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TABLE OF CONTENTS

	page
1.0: Introduction	1
2.0: Project Location, Description, Purpose and Need	3
3.0: Evaluation Methods	8
3.1: Project and Action Areas Defined	8
3.2: Previous BSW Investigation of the Project and Action Areas	8
3.3: Methods of Investigation	8
3.3.1: Burrowing Owl Survey	8
3.3.2: Herbaceous Vegetation	9
4.0: Existing Conditions and Environmental Baseline	9
4.1: Historical Land Use Signatures	9
4.2: Steppe Habitat	10
5.0: Habitat and Species Risk Assessment	11
5.1: Vascular Plant Risk Assessment	11
Spalding's catchfly (<i>Silene spaldingii</i>), Federal Status: Threatened	11
Ute ladies'-tresses (<i>Spiranthes diluvialis</i>), Federal Status: Threatened	12
Water howellia (<i>Howellia aquatilis</i>)	14
5.2: Fish Risk Assessment	14
Bull Trout (<i>Salvelinus confluentus</i>) Federal Status: Threatened	14
5.3: Essential Fish Habitat, Distinct Population Segments, and Critical Habitat	15
5.4 Discussion of Other Effects	16
6.0: Summary of Effect Determinations	17
Bibliography and References	18-21
Appendix 1: pre-consultation communications	22-32
Appendix 2: NOAA & USFW Species list for Spokane County	33
Appendix 3: Candidate Species, Migratory Bird Treaty Act, Species of Concern	34-38
Appendix 4: NWI Map, DNR Water Type Map, NRCS Soil Map	39-43
Appendix 5: Steppe Habitat	44-47
Appendix 6: Qualifications	48-50

Biological Evaluation

for the

McFarlane and Lawson Property at Spokane International Airport in the NE 1/4 of Section 35, T25N, R41E Spokane County, WA

1.0: Introduction

Leppo Consulting, LLC. retained BSW to complete a Biological Evaluation (BE) for the McFarlane and Lawson Property under consideration for sale by Spokane International Airport (SIA) to the Exotic Metals Forming Company (EMFCO) of Kent, Washington for potential future industrial development. Spokane International Airport (SIA) determined that it no longer needs the subject property for aeronautical purposes and requested that the Federal Aviation Administration (FAA) release the land for sale to EMFCO. Prior to release of the land, FAA must insure strict adherence to all applicable environmental laws and analyze the environmental effects of the proposed release so a BA was requested by Cayla Morgan, Environmental Protection Specialist, Seattle Airports District Office, Federal Aviation Administration.

A BA is required for “major construction activities” considered to be Federal actions significantly affecting the quality of the human environment as referred to in the National Environmental Policy Act of 1969 (NEPA) [(42 U.S.C. 4332(2)(C)]. Although agencies are not required to prepare a BA for non-construction activities such as a land sale, if a listed species or critical habitat is likely to be affected by future actions that result from the sale, then the agency must provide the Service with an evaluation on the likely effects of the action. A BA was recommended to ensure the agency’s involvement and increase the chances for resolution during informal consultation. Recommended contents for a BA are described in 50 CFR 402.12(f). Subsequent to a field investigation by Biology Soil and Water, Inc. (BSW) and pre-consultation phone consultations with USF&W and FAA (Appendix 1), it was determined that a BE was the appropriate format for reporting the No Effect findings for all listed species.

The purpose of this Biological Evaluation (BE) is to address the effect of the property sale on species listed as endangered or threatened under the federal and state Endangered Species Act (ESA). Quarterly County lists of all Endangered, Threatened, Proposed, and Candidate species are published by the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NOAA Fisheries). The current NOAA and USFWS Priority Habitat and Species (PHS) data for the project area, downloaded from the respective web sites on January 25, 2014 (Appendix 2) are the most up to date species listings from those agencies. No NMFS species are listed for the vicinity because the site is over 2 miles from the Spokane River, the nearest fish-bearing stream. The USF&W list indicated the potential presence of the species and critical habitat(s) shown in Table 1.

Table 1. USFWS listed species and critical habitats potentially present in the vicinity of

Species	ESU/DPS	Federal Status	Designated Critical Habitat	ESA Finding
Bull trout <i>Salvelinus confluentus</i>	Columbia River DPS	<i>Threatened</i>	<i>Yes</i>	<i>No Effect</i>
Water howellia, <i>Howellia aquatilis</i>		<i>Threatened</i>	<i>No</i>	<i>No Effect</i>
Spalding's silene, <i>Silene spaldingii</i>		<i>Threatened</i>	<i>No</i>	<i>No Effect</i>
Ute ladies'-tresses, <i>Spiranthes diluvialis</i>		<i>Threatened</i>	<i>No</i>	<i>No Effect</i>
Yellow-billed cuckoo, <i>Coccyzus americanus</i> ,		<i>Candidate</i>	<i>No</i>	<i>No Effect</i>

Candidate Species are included in this report because they may become listed in the future and because they are included on the WDF&W Priority Habitat and Species list.

This BE addresses the proposed action in compliance with Section 7(c) of the ESA of 1973, as amended. Section 7 assures that through consultation (or conferencing for proposed species) with the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS), federal actions do not jeopardize the continued existence of any threatened, endangered or proposed species, or result in the destruction or adverse modification of critical habitat. BSW investigated the subject property for potential impacts to streams, wetlands, fish, wildlife, and habitat as required by FAA as part of the Categorical Exclusion Form being submitted on behalf of SIA. The transaction (sale) must be completed before March 1, 2014 or spring construction will not be possible and the sale will not occur.

At the request of FAA, the site was evaluated for the Washington Department of Fish and Wildlife priority habitats listed as "Eastside Steppe" and "Shrub-Steppe Terrestrial." A discussion of steppe habitat, consultation with WDF&W, and findings are included in Appendix 3. There will be No Effect on steppe habitat because the Action Area was converted to agriculture and cultivated for 50 years. The Project and Action Areas do not meet any of the Department of Natural Resources (DNR) criteria for High Quality Terrestrial Habitat. The project will have No Effect on any State or Federally listed Threatened, Endangered, Proposed, or Candidate species as none were identified by BSW in the Project or Action Areas.

At the request of FAA, the site was evaluated for compliance with the Migratory Bird Treaty Act. While several federal regulations protect specific avian species, the Migratory Bird Treaty Act covers all bird species that migrate in the United States. Under the authority of the Secretary of the Interior and US Fish & Wildlife Service, the act provides for the protection of migratory birds listed at "Revised List of Migratory Birds" [Federal Register Vol. 75, No. 39, Monday, March 1, 2010, Pp. 9282 - 9314]. The project will have No Effect on any migratory bird species.

Migratory Birds listed for the project area are addressed in Appendix 3 and include the **Candidate Species** Yellow-billed cuckoo, *Coccyzus americanus*, and the following **Species of Concern**:

Bald eagle (*Haliaeetus leucocephalus*) (delisted, monitor status)
Burrowing owl (*Athene cunicularia*)
Ferruginous hawk (*Buteo regalis*)
Loggerhead shrike (*Lanius ludovicianus*)
Long-eared myotis (*Myotis evotis*)
Northern goshawk (*Accipiter gentilis*)
Olive-sided flycatcher (*Contopus cooperi*)
Pallid Townsend's big-eared bat (*Corynorhinus townsendii pallescens*)
Peregrine falcon (*Falco peregrinus*) (Delisted, monitor status)

Wetlands and Streams

The Washington Department of Natural Resources (WDNR) Water Types Map does not indicate the presence of streams or riparian areas (Appendix 4). The National Wetland Inventory database does not indicate the presence of wetlands on the site (Appendix 4). The NRCS Web Soil Survey reports the presence of the well drained Cheney-Alecanyon Complex soils with a depth to water table greater than 80 inches (Appendix 4). Those soils are not hydric. The site investigation by a BSW Qualified Wetland Specialist confirmed that there are no wetlands, streams or riparian habitat in the Project or Action Areas. The subject property is not encumbered by the buffer of a stream or wetland.

2.0: Project Location, Description, Purpose and Need

The subject property, located northwest of the SIA main airport facility and runways, encompasses 56.6 acres in the NE 1/4 of Section 35, T25N, R41E (Figures 1-4). The site, located approximately 1 mile west of Hayford Road on the south side of McFarlane Road, includes SIA non-aeronautical development land. EMFCO proposes the construction of a 150,000 square foot concrete tilt-up building, with a maximum height of 40 feet. In addition there will be additional impervious surface area associated parking, loading, etc., plus pervious surface area including landscaping and stormwater management systems within the site plan footprint.

The facility will be used for sheet metal details and jigs used to assemble aircraft duct details and assemblies. Office space includes administrative and assembly support staff. The state-of-the-art manufacturing facility will employ approximately 75 to 100 persons in a single shift, including assemblers, welders, operators, etc., over the first five years of operation.

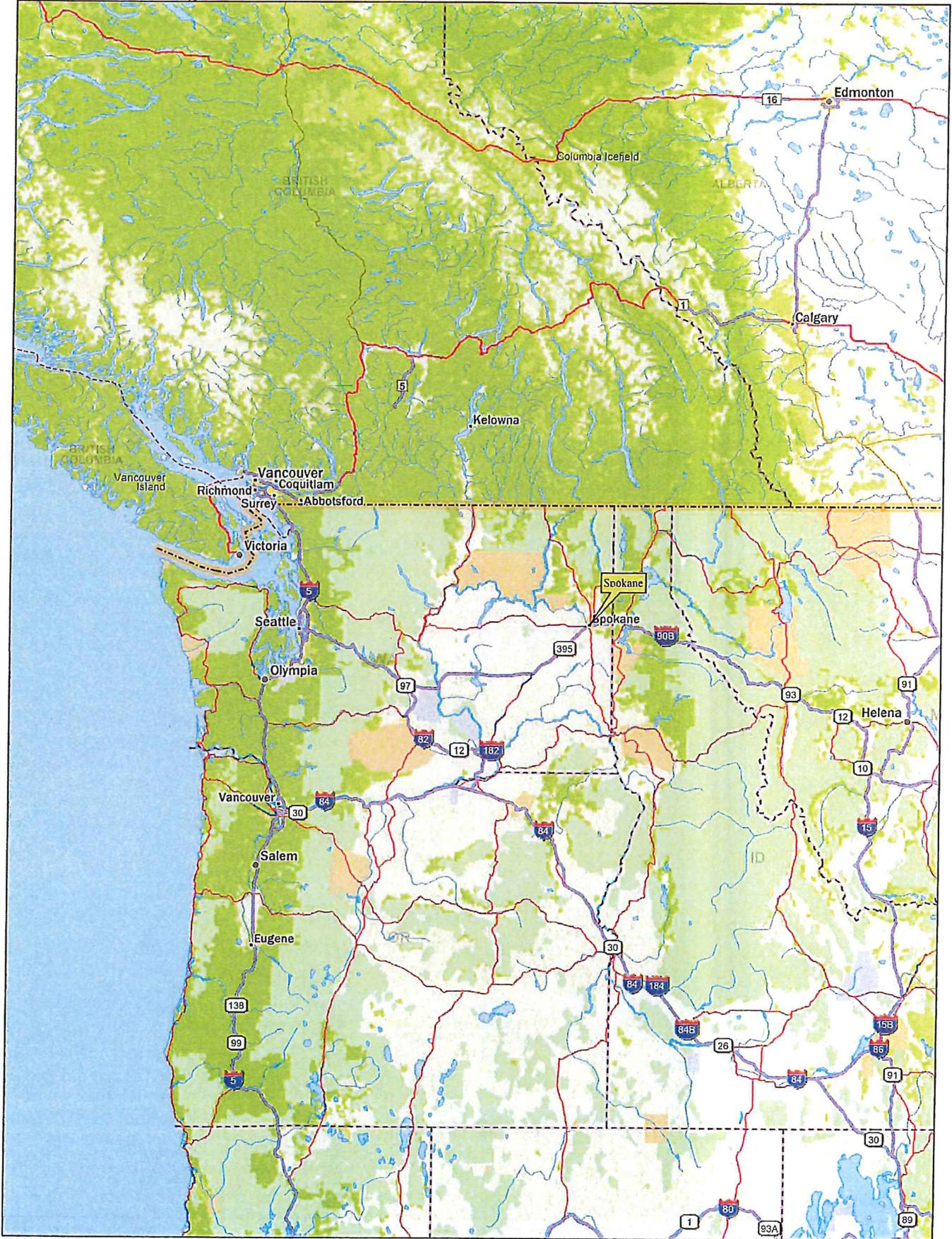
The subject property is located within the City of Airway Heights Comprehensive Plan area identified as vacant industrial land designated for I-2 heavy industrial land use. The site is served by asphalt paved primary and secondary roads in an area of existing industrial and commercial land use. The subject property is located within an area designated by SIA as non-aeronautical development land and the proposed land use is compatible with the draft SIA Master Plan Chapter 7: Airport Land Use Compatibility.

Environmental impacts from construction are not anticipated to be significant in this sparsely developed industrial land use area that is not associated with, and will not have an impact on, SIA operations. Development will occur under applicable local (City of Airway Heights, Spokane Regional Clean Air Authority), state (Washington Department of Ecology, Washington Department of Fish and Wildlife), and federal regulations. Permits for development require the applicant to address the potential impacts of construction activities, including construction noise, dust emissions, soil erosion and management, water pollution (stormwater management) and disposal of construction debris. The specific types of construction impacts that could occur, and permits or certificates that may be required, are covered as a condition of the developer's permits and the process will abide by relevant regulations promulgated and enforced by the jurisdictional agency.

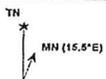
Contact information for responsible parties is listed below.

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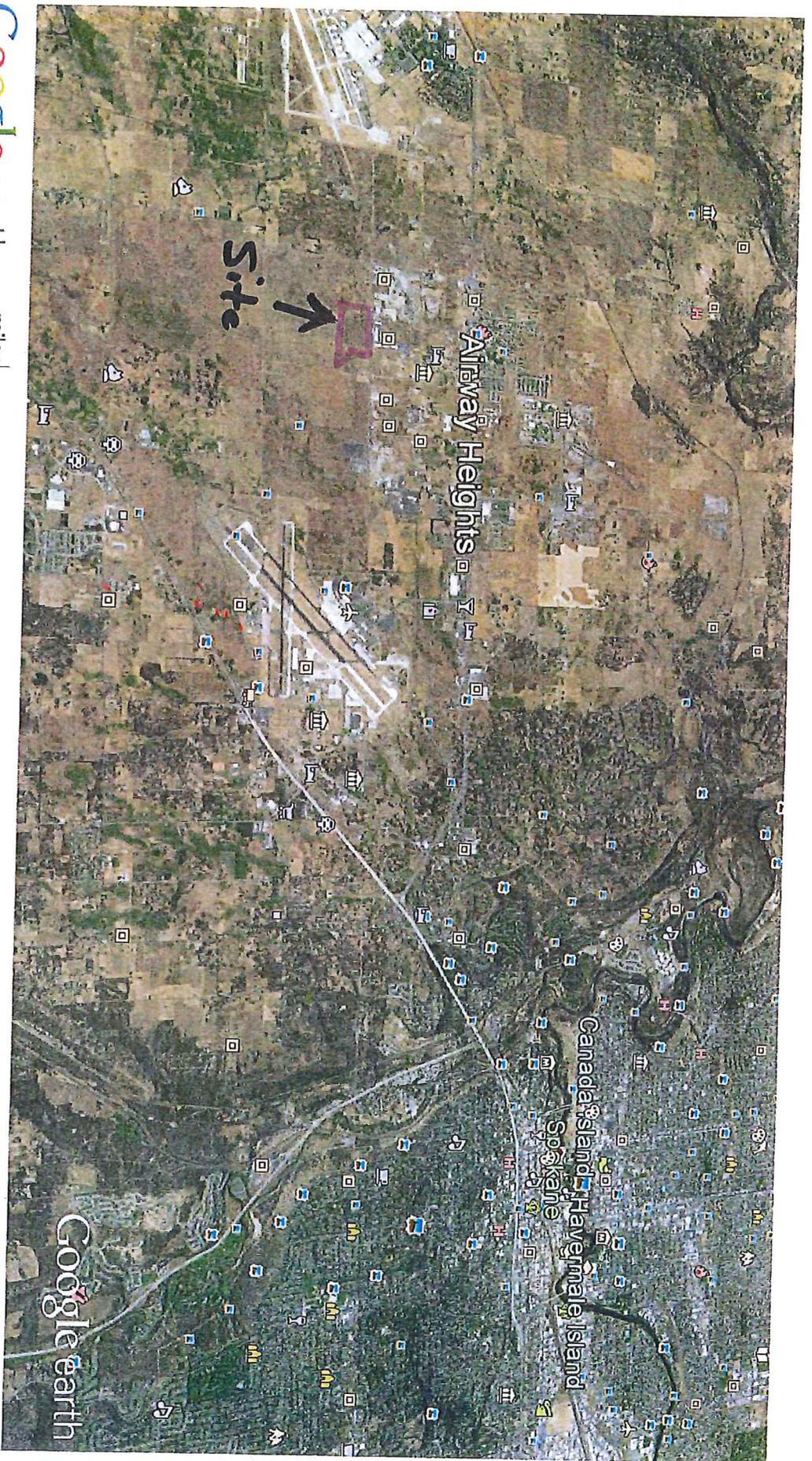
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Figure 2

Google earth

miles
km



Google earth

Figure 3

Google earth

feet
meters

EMFCD site

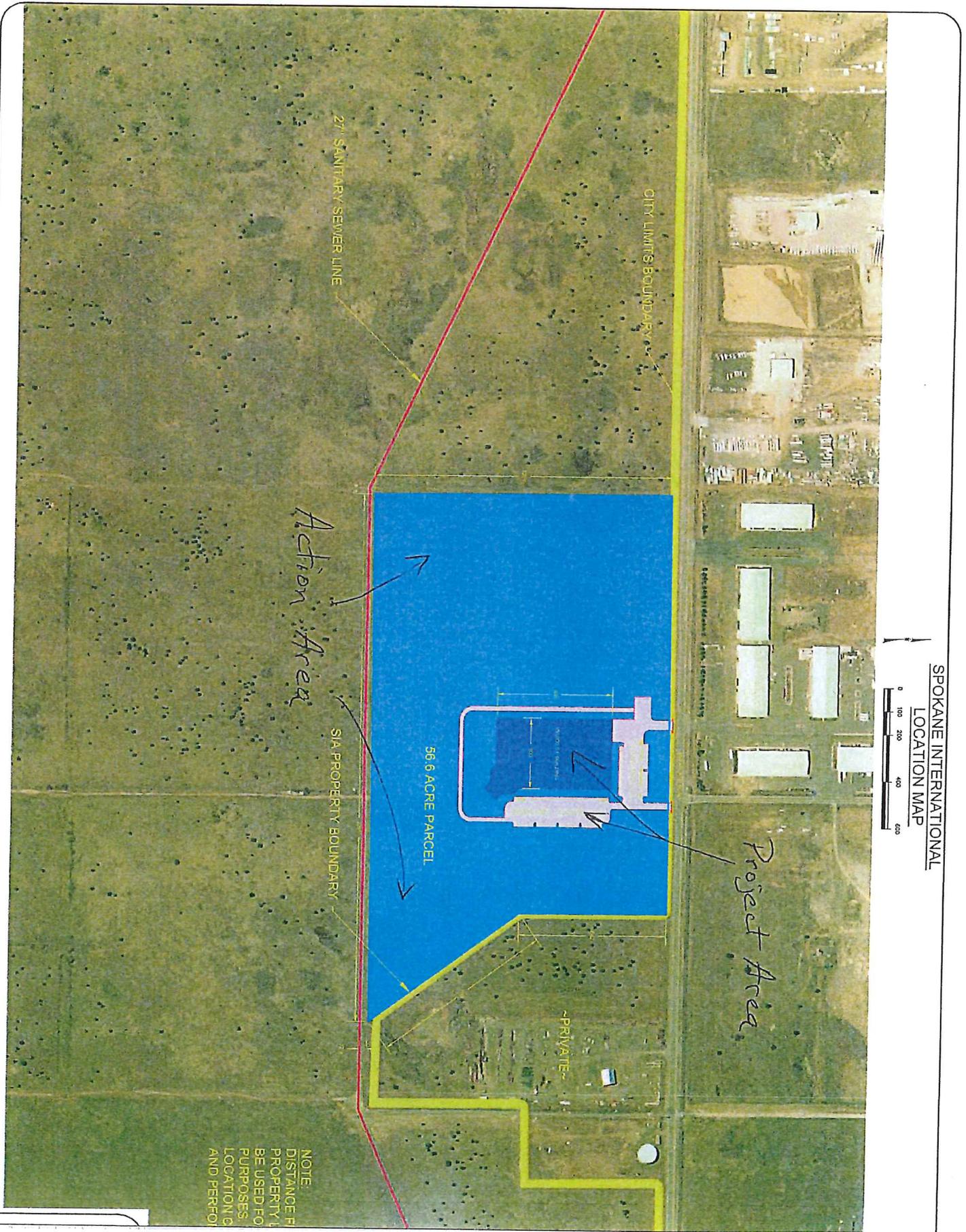
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Google earth

Figure 4: Project & Action Areas

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SPOKANE INTERNATIONAL
LOCATION MAP

0 100 200 400 600

NOTE:
DISTANCE FROM
PROPERTY TO
BE USED FOR
LOCATION, C
AND PERFO

3.0: Evaluation Methods

3.1: Project and Action Areas Defined

The Action Area was defined as the 56.6 acres of land included in the McFarlane and Lawson Property under consideration for sale by Spokane International Airport (SIA). The Project Area was defined as that portion of the 56.6 acres that will be disturbed during project construction (Figure 4). The Action Area extends beyond the Project Area by about 860 feet to the west and about 400 feet to the south. Due to the irregular shape of the east side of the parcel, the Action Area extends east beyond the Project Area by about 400 feet in the north part of the parcel and by as much as 800 feet near the south end of the parcel.

The 2014 BSW investigation also included an additional 50 yard radius around the subject property on adjacent lands to the south and west that are also owned by SIA. Adjacent private property to the east is fenced so no investigation of that property was possible. On the north side of McFarlane Road, the narrow strip of land between McFarlane Road and the fence surrounding the private industrial and commercial property and/or associated impervious surfaces was also investigated for this project.

3.2: Previous BSW Investigation of the Project and Action Areas

The north boundary of the parcel is defined by McFarlane Road. Across McFarlane to the north, the westmost 3/4 of the land is characterized by commercial and industrial development. The east 1/4 of the land is owned by the City of Airway Heights. BSW completed a Biological Assessment on the east 1/4 of that land in 2008 when the City proposed the construction of a new Water Reclamation Plant. The Action Area for the 2008 City of Airway Heights Water Reclamation Plant BA was defined as a 1/4 mile radius of the Project Area, so 100% of the Project Area in the McFarlane and Lawson Property under consideration for sale by SIA was surveyed for all listed species by the undersigned in 2008. About 90% of the Action Area in the McFarlane and Lawson Property was surveyed for all listed species by the undersigned in 2008. That investigation included Spalding's silene, Water howellia, Ute ladies'-tresses, Burrowing owls, and all of the species included in this report. The finding was No Effect for all listed species in 2008.

3.3: Methods of Investigation

3.3.1: Burrowing Owl Survey

BSW completed a Burrowing owl survey in the Action Area on 12-15 January 2014, two months before the species is due to migrate back into the Spokane area. The survey focused on physical evidence of the species that included natural burrows and suitable man-made structures. The survey was completed when herbaceous vegetation from the previous year was senescent. No leaves were present on shrubs and new herbaceous growth from the current year did not obscure the ground so visual penetration of vegetation to view burrows and evidence of soil disturbance was optimum.

The survey was conducted by walking transect lines with the aid of a compass and GPS unit. The pedestrian survey transects were spaced to allow 100% visual coverage of the ground surface. The distance between transect center lines was no more than 30 meters (approximately 100 ft.) and was reduced as necessary to account for differences in terrain, vegetation density, and ground surface visibility. The herbaceous vegetative canopy is generally sparse, but there are small patches of knapweed, St. John's wort, and sticky cinquefoil that obscure the ground surface. The investigator modified the transect search pattern so all dense vegetative patches were individually investigated and given close scrutiny so 100% of the ground surface could be visually inspected.

3.3.2: Herbaceous Vegetation

It was the goal of the investigator to complete a Spalding's silene survey that was separate from and in addition to the site survey for owl burrows. That survey would have involved walking transects across the Action Areas again but with a wider spacing between transect lines than utilized during the owl survey. Weather did not co-operate as heavy hoar frost formed on the vegetation and persisted for two weeks before snow eliminated any hope of additional surveys. However, several factors make the extra Spalding's silene survey unimportant to the finding of No Effect. The first factor is that the site was converted to farm land and cultivated as a wheat farm for 50 years. Fifty years of cultivation and herbicide applications is sufficient grounds for discounting effects on Spalding's silene when considered alone. The second factor is the fact that BSW determined that the species did not occur on the site during a previous survey for Spalding's silene completed for the City of Airway Heights Water Reclamation Plant BA in 2008 that included 90% of the Action Area and 100% the Project Area of the current project. A third factor is that the pedestrian survey transect lines walked for the owl survey are closer than the spacing required for a plant survey. If Spalding's silene (or Water howellia and Ute ladies'-tresses) occurred in the Action Area the investigator would have seen them during the burrow survey.

The timing of the site investigation did not coincide with the flowering of listed plant species. The project biologist is a qualified botanist and wetland professional that routinely completes site investigations during all seasons when snow does not cover vegetation. Site investigations often occur when salient plant flowering parts are senescent or may not be sufficiently preserved to allow taxonomic identification beyond genus to the species level. Twenty years of experience in plant identification during all life history and seasonal growth habits has equipped the project biologist to conduct accurate plant identifications and wetland investigations in accordance with best available science and consistent with the accepted professional practices for the conditions at the time the work was performed.

Individual plants exhibit essential identification characteristics unique to their genera, but display sufficient variation so it is possible to categorize and differentiate each species within a genus using taxonomic keys. During plant senescence, individual characteristics often become blurred making it difficult or impossible for a botanist to differentiate among species within the genus. The sepals of the genus *Silene* form a bulbous calyx that is easily recognized and sufficient to identify the plant to genus. The Threatened species *Silene spaldingii* overlaps in range and is somewhat similar in appearance with some other species in the genus. The field biologist is familiar with the species and has observed it at other locations. During the field investigation, the *Silene* genus was not identified in the Action or Project Areas.

4.0: Existing Conditions and Environmental Baseline

4.1: Historical Land Use Signatures

The Action Area and surrounding SIA lands were cultivated in wheat for 50 years, and then converted to CRP land by planting non-native bunch grasses so there is no remaining steppe habitat. The previously cultivated areas have high concentrations of noxious weeds and vast seas of knapweed. There are also large patches of St John's wort and sticky cinquefoil. A few native plants are beginning to re-colonize, including regenerating Ponderosa pines in the 1-20 year old class range. However, the site is distinguished by bunchgrasses that were drill seeded into neat rows and seas of noxious weeds. The following table summarizes vegetative species observed on the site.

Table 2: Vegetation listed in order of abundance on the site.

Common Name	Indicator Status	Scientific Name
Non-native bunch grasses drill seeded for erosion and CRP after cultivation ceased		
spotted knapweed	NI	<i>Centaurea maculosa</i>
diffuse knapweed	NI	<i>Centaurea diffusa</i>
sticky cinquefoil	NI	<i>Potentilla glandulosa</i>
St. John's-wort	FAC-	<i>Hypericum perforatum</i>
dalmatian toadflax *	NI	<i>Linaria dalmatica</i>
willow weed	NI	<i>Epilobium watsonii</i>
prickly lettuce	FACU	<i>Lactuca serriola</i>
tumble mustard	FACU-	<i>Sisymbrium altissimum</i>
Canada thistle	FACU+	<i>Cirsium arvense</i>
mullein	NI	<i>Verbascum thapsus</i>
common vetch	UPL	<i>Vicia sativa</i>
yarrow	NI	<i>Achillea millefolium</i>
harvest fireweed	NI	<i>Amsinckia retrorsa</i>
Northern buckwheat	NI	<i>Eriogonium compositum</i>
yellow salsify	NI	<i>Tragopogon dubius</i>
cheat grass	NI	<i>Bromus tectorum</i>
bulbous bluegrass	NI	<i>Poa bulbosa</i>
brome-grass	NI	<i>Bromus inermis</i>
giant wildrye	FACU	<i>Elymus condensatus</i>

The site was planted in non-native grass species that the undersigned is not familiar with and was unable to key out because flowering parts were not present during the winter investigation. Apart from a dozen deciduous trees surrounding an old homestead where a house and outbuildings once stood, the only trees on the site are Ponderosa pines in the 1-20 year age class that started regenerating after cultivation ceased on the site. There are a handful of shrub patches along the access roads and associated historical fence lines that define the property boundaries, but no shrubs remain in the previously cultivated lands between fences.

4.2: Steppe Habitat

All of Section 35, T25N, R41E where the proposed EMFCO project is located, and all of adjacent Section 36 to the east, are defined as steppe habitat (Appendix 5) on WDF&W maps. In 2012, BSW completed a field survey of adjacent Section 36 for Burrowing owls and listed plants. Another purpose of the study was to identify and map remnant patches of steppe habitat. The area of Section 36 mapped by BSW as remnant steppe habitat occurs in a mounded physiography where historical cultivation was not practical so the mapped area avoided the plow. The remnant steppe habitat mapped by BSW has a sagebrush and bunchgrass habitat type with a diverse native plant community and comparatively low noxious weed component compared to the surrounding cultivated lands.

Apart from the BSW mapped steppe habitat, the remainder of Section 36 was historically cultivated and planted in wheat. Due to low crop productivity, the site was eventually converted to CRP. The conversion to CRP included drill seeding with non-native bunchgrasses. The cumulative effect of 50 years of cultivation and weed control, and the subsequent planting of non-native grasses greatly simplified the native plant community. BSW concluded that the previously cultivated CRP lands no longer meet the definition of steppe habitat due to lack of diversity in the native plant and animal communities.

In 2012, BSW discussed land use signatures on airphotos, site specific crop records, and the existing CRP land use with other experts. BSW consulted with John Spring and Steve Sprecher at the Natural Resources Conservation Service (NRCS) and with Mr. Joseph Coombs, the Agronomist who managed SIA agricultural lands for over 30 years. Mr. Coombs and the NRCS confirmed BSW findings and conclusions regarding historical cultivation, crop patterns, conversion to CRP lands, and the dominance of non-native plant species.

On March 9, 2012, BSW completed a site review of Section 36 with Karin Divens and Howard Ferguson (WDF&W) for concurrence on the absence, or presence and location of, remnant steppe habitat patches. WDF&W concurred with BSW habitat analysis and mapped steppe habitat. WDF&W concurred with BSW that the historically cultivated lands had been converted and no longer fit the definition of steppe habitat in Section 36.

On 24 January 2014, BSW sent a letter to Karin Divens (WDF&W) discussing the habitat types investigated in 2012 and discussing the mapped steppe habitat in adjacent Section 35 where the EMFCO property is located. BSW provided WDF&W with a written discussion of historical and existing conditions that included maps and airphotos for WDF&W interpretation. Based on her familiarity with the identical conditions on the adjacent square mile of SIA land, the information provided by BSW, and airphoto interpretation, Karin Divens concluded that all of the Action Area for the EMFCO site had been converted and no longer meets the definition of steppe habitat. **The project will have no effect on steppe habitat.**

5.0: HABITAT AND SPECIES RISK ASSESSMENT

5.1: Vascular Plant Risk Assessment

Spalding's catchfly (*Silene spaldingii*), Federal Status: Threatened

Each *Silene spaldingii* stem bears four to seven (up to 12) pairs of 2 - 3 inch long, lance-shaped leaves (Hitchcock et al., 1964). It has swollen nodes where the leaves attach to the stem. The plant is covered in dense sticky hairs that frequently trap dust and insects. Flowers have a tubular calyx approximately 0.6 inches long; the pale white petals extend slightly beyond the sepals. Flowers bloom from mid-July through August and sometimes into September.

The range of Spalding's silene (*Silene spaldingii*) includes eastern Washington, northeast Oregon, Idaho, and western Montana. In WA, the species occurs in the Blue Mountains and the Columbia Basin in Asotin, Lincoln, Spokane and Whitman counties. Spalding's silene occurs primarily in open grasslands that have minor shrub and/or occasionally scattered conifer components. *Silene spaldingii* is found at the lowest and highest elevations rangewide from 365 to 1,615 meters (1,200 to 5,300 feet) (ICDC 2007; summarized in USFWS 2007), but most frequently on northerly slopes that support more mesic *Festuca idahoensis* communities or Idaho fescue/snowberry associations at elevations of 1900-3050 feet (Natureserve, 2010). The sites dominated by Idaho fescue/snowberry typically have a sparse cover of snowberry and the total vegetative cover is greater than 100%. On drier sites, the species can be found on the bluebunch wheatgrass/Idaho fescue association. Associated species include prairiesmoke (*Geum triflorum*), sticky geranium (*Geranium viscosissimum*), Wood's rose (*Rosa woodsii*), white stoneseed (*Lithospermum ruderales*), yarrow (*Achillea millefolium*), northwest cinquefoil (*Potentilla gracilis*), and hawkweed (*Hieracium* sp.). Yarrow is sparsely represented on the site.

Silene spaldingii is impacted by habitat loss due to human development, habitat degradation associated with domestic livestock and wildlife grazing, and invasions of aggressive nonnative plants (USDI Fish and Wildlife Service, 2001). Spalding's silene generally occurs in native grasslands that are in reasonably good ecological condition, although populations have persisted in areas that have had moderate grazing pressure. Populations tend to be quite small and are currently quite fragmented. Fire may have historically played a role in maintaining

habitat particularly in sites that are interspersed with ponderosa pine forest. Much of the historically suitable habitat has been lost through agricultural conversion or degradation that would best describe existing conditions in the Action Area and surrounding historical agricultural lands.

Silene spaldingii overlaps in range and is somewhat similar in appearance with several other species in the genus, however, no species in that genus was observed in the Action Area so confusion of species was not an issue. The field biologist is familiar with the species and has observed it at other locations. During the field investigation, *Silene spaldingii* was not identified in the Project or Action Areas. *Silene spaldingii* populations were not identified previously on this site during the 2008 survey associated City of Airway Heights Wastewater Treatment Plant BA.

The Project and Action Areas occur in soils that have been subjected to significant disturbance and conversion to agricultural land uses that are not consistent with the requirements of the species. These land use activities have so completely altered the soils and vegetative community as to make the project area unsuitable for Spalding's silene. The species begins to flower in mid-July and finishes in late September when most other forbs have finished flowering. That characteristic makes the species incompatible with historical agricultural uses. No Spalding's silene was observed during the 2014 and 2008 site investigations of the Action and Project Areas.

Designated Critical Habitat

The USFWS has not designated critical habitat for Spalding's silene (*Silene spaldingii*).

Analysis of Effects

Direct Effects

Based on the site investigation by BSW, Spalding's silene is known not to exist in the Project or Action Area.

Indirect Effects

No indirect effects for Spalding's silene were identified.

Cumulative Effects

No cumulative effects for Spalding's silene were identified.

Compliance with Recovery or Management Plans

Spalding's silene does not occur in the Action Area and there is no appropriate habitat in the immediate vicinity so a recovery plan for Spalding's silene will not include the subject property.

Conservation Measures

No conservation plans have been created for Spalding's silene. No conservation or avoidance measures are necessary since the species does not occur near the project.

Determination of Effects

The project will have NO EFFECT on Spalding's silene or any designated or proposed critical habitat for that species.

Ute ladies'-tresses (*Spiranthes diluvialis*), Federal Status: Threatened

After the 1997 discovery of a small population of Ute ladies'-tresses in Okanogan County, the US Fish and Wildlife Service determined that the species might occur in suitable habitats throughout Washington. It is only possible to positively identify Ute ladies'-tresses or distinguish it from other orchids of the same genus when the plant is blooming. Depending on site specific climatic conditions throughout its range, Ute ladies'-trusses may begin to bloom in early July and continue to bloom through late September or early October (Hitchcock et al., 1964). That blooming window would be consistent with the climatic conditions at SIA.

Ute ladies'-tresses was initially identified primarily in wetlands, moist meadows associated with perennial stream terraces, river meanders, floodplains, and oxbows adjacent to small streams on sandy or coarse gravel alluvium or alkaline clays at elevations between 4300-6850 feet (Arft and Ranker 1998; Moseley 1998). Over one-third of all known Ute ladies'-tresses populations are found on alluvial banks, point bars, floodplains, or ox-bows associated with perennial streams (Sipes, S. D. and V. J. Tepedino). Many streamside sites occupied by *S. diluvialis* are found at the base of mountain ranges in wide valleys where formerly confined stream reaches become unconfined and free to meander. Periodic flood events rework alluvial bars and terraces within these stream systems to create early successional conditions conducive to the establishment or persistence of Ute ladies'-tresses colonies.

Recent surveys have expanded the number of vegetation and hydrology types occupied by Ute ladies'-tresses to include seasonally flooded river terraces, sub-irrigated or spring-fed abandoned stream channels and valleys, and lakeshores (Mancuso, 2000). Populations have been discovered along irrigation canals, berms, levees, irrigated meadows, excavated gravel pits, roadside barrow pits, reservoirs, and other human modified wetlands. Populations have also been observed in wet meadow communities dominated by *Agrostis stolonifera*, *Elymus repens*, *Juncus balticus*, *Panicum virgatum*, and *Hordeum jubatum* at elevations of 1415-1650 m. Ute ladies tresses does not occur on riparian benches or other mesic habitats where there is insufficient surface soil moisture such as drier habitats dominated by Kentucky bluegrass (*Poa pratensis*). Redtop (*Agrostis stolonifera*) is a common associate of Ute ladies tresses and appears to be the best indicator of ideal microhydrologic conditions for Ute ladies tresses in Idaho (Moseley 1998).

Previous studies indicated that competition from invasive plants, vegetative succession, changes in hydrology, habitat disturbance, and impacts from recreation were the most widespread potential threats. However, more recent studies indicate that *Spiranthes diluvialis* is far more adapted or resilient to grazing or human-influenced environments than was suspected and show that nearly 80% of all known orchid populations are associated with agricultural lands managed for grazing, haying, and irrigation, or dam-regulated rivers, recreation areas, or other human-influenced lands (B. Heidel, W. Fertig, F. Blomquist, and T. Abbott. 2008). These populations are more stable than originally suspected and more tolerant of human induced disturbances. However, none of the plant species known to grow in association with *Spiranthes diluvialis* occur in the Action and Project Areas.

Fifty years of historical cultivation and herbicide applications are sufficient to discount effects to the species. Hydrologic conditions on the site are too dry to support *Spiranthes diluvialis*. The 2014 and 2008 site investigations determined Ute ladies'-tresses does not occur in the Project or Action Areas.

Designated Critical Habitat

The USFWS has not designated critical habitat rules for Ute ladies'-tresses.

Analysis of Effects

Direct Effects

Based on the site investigation by BSW, Ute ladies'-tresses is known not to exist in the Project or Action Area.

Indirect Effects

No indirect effects for Ute ladies'-tresses were identified.

Cumulative Effects

No cumulative effects for Ute ladies'-tresses were identified.

Compliance with Recovery or Management Plans

Ute ladies'-tresses does not occur in the Action Area and there is no suitable habitat for the species in the immediate vicinity so a recovery plan for Ute ladies'-tresses will not include the subject property.

Conservation Measures

No conservation plans have been created for Ute ladies'-tresses. No conservation or avoidance measures are necessary since the species does not occur near the project.

Determination of Effects

The project will have NO EFFECT on Ute ladies'-tresses (*Spiranthes diluvialis*) or any designated or proposed critical habitat for that species.

Water howellia (*Howellia aquatilis*).

Howellia (Howellia aquatilis) is an obligate wetland, aquatic species that is only found in seasonal wetlands, ponds, orphaned river oxbows, and lakes less than 3-6 ft (1-2 m) deep. The ponds are typically in a matrix of dense forest vegetation, and are nearly always surrounded by broadleaf deciduous trees. Habitats are filled by snowmelt run-off and spring rains, and then dry out to varying degrees by the end of the growing season. Almost always bordered with one of the following broadleaf trees: *Populus trichocarpa*, *P. tremuloides*, *Fraxinus latifolia*. Most wetlands where the species occurs have a well-developed shrub component composed of plants such as *Cornus stolonifera*, and *Spiraea douglasii*. None of the plant species associated with *Howellia* occur in the Action Area. No wetlands occur in close proximity to the Action Area. There is no habitat capable of supporting this obligate wetland species in the Project or Action Areas. The 2014 and 2008 site investigations determined that this species does not occur in the Project or Action Areas.

Designated Critical Habitat

The USFWS has not designated critical habitat for *Howellia*.

Analysis of Effects

Direct Effects

Based on the site investigation by BSW, *Howellia* is known not to exist in the Project or Action Area.

Indirect Effects

No indirect effects for *Howellia* were identified.

Cumulative Effects

No cumulative effects for *Howellia* were identified.

Compliance with Recovery or Management Plans

Water Howellia does not occur in the Action Area and there are no wetlands in the immediate vicinity so a recovery plan for *Howellia* will not include the subject property.

Conservation Measures

No conservation or avoidance measures are necessary since the species does not occur near the project.

Determination of Effects

The project will have NO EFFECT on *Howellia aquatilis* or any designated or proposed critical habitat for that species.

5.2: Fish Risk Assessment

Bull Trout (*Salvelinus confluentus*) Federal Status: Threatened

The U.S. Fish and Wildlife Service (USF&WS) lists the Columbia River population of bull trout as threatened. Small pockets of bull trout are present in isolated habitat fragments in the main stem and tributaries of the Columbia River. One isolated fragment of the Columbia River segment includes Coeur d'Alene Lake, its tributaries in the drainage basin, and the Spokane River. Bull trout populations have been identified in Coeur d'Alene Lake and three tributaries in its sub-basin, but no bull trout populations are known to occur presently, or have been noted historically, in the Spokane River downstream from the Post Falls Hydroelectric Dam (PBTTAT, 1998).

The U.S. Fish and Wildlife Service (USFWS) identified designated critical habitat for bull trout in Coeur d'Alene Lake, the Coeur d'Alene River, the St. Joe River, and associated tributaries (PBTTAT, 1998) and included those areas in the Coeur d'Alene Lake Basin Recovery Unit (RU). The Spokane River and its tributaries located downstream from the Post Falls dam is included in the Northeast Washington RU even though there are no known populations of bull trout downstream from the Post Falls dam. The USFWS does not include the Spokane River and its tributaries located downstream from the Post Falls dam in recovery planning efforts.

Large water falls on the upper Spokane River (downstream from the project area) formed barriers to the post-glacial dispersal of fishes, such as the Pacific salmon and steelhead trout, from the lower Columbia River to the Coeur d'Alene Lake basin (Simpson and Wallace 1982). The Post Falls dam stops the migration of fish out of the Coeur d'Alene basin downstream into the Spokane River. Waterfalls and dams prevents the upstream and downstream migration of bull trout into the segment of the Spokane River in the vicinity of the project area. No dam on the Spokane River has a fish passage facility and all dams create fish barriers for upstream and downstream migration. There is no known population of bull trout in the Spokane River downstream of the Post Falls dam (FERC 2006).

Designated Bull Trout Critical Habitat

The USFWS does not include the Spokane River and its tributaries located downstream from the Post Falls dam in bull trout recovery planning efforts (Federal Register / Vol. 75, No. 200 / Monday, October 18, 2010). The project will have NO EFFECT on proposed Bull Trout Critical Habitat.

Analysis of Effects

Direct Effects

There are no known populations of bull trout downstream from the Post Falls dam so there will be no direct effects on the species.

Indirect Effects

No indirect effects for bull trout were identified.

Cumulative Effects

No cumulative effects for bull trout were identified.

Compliance with Recovery or Management Plans

The USFWS does not include the Spokane River and its tributaries located downstream from the Post Falls dam in recovery planning efforts.

Conservation Measures

No conservation or avoidance measures are necessary since the species does not occur near the project.

Determination of Effects

The project will have NO EFFECT on bull trout or designated Bull Trout Critical Habitat.

5.3: Essential Fish Habitat, Distinct Population Segments, and Critical Habitat

The Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires Federal agencies to consult with NMFS on activities that may adversely affect Essential Fish Habitat (EFH). The objective of this EFH assessment is to determine whether or not the proposed action(s) may adversely affect designated EFH for relevant commercially, federally-managed fisheries species within the proposed Action Area.

The ESA defines a "species" to include any distinct population segment of any species of vertebrate fish or wildlife. For Pacific salmon, NOAA Fisheries considers an evolutionarily significant unit, or "ESU," a "species" under the ESA. The Action Area is not included in the ESU for any Pacific salmon species. For Pacific steelhead, NOAA Fisheries has delineated distinct population segments (DPSs) for consideration as "species" under the ESA. The Action

Area does not include a distinct population segment for steelhead. NOAA Fisheries has not designated any Critical Habitat for West Coast Salmon or Steelhead in the vicinity of the project.

No species of steelhead, salmon or bull trout are listed for the Spokane River adjacent to the project area. Large water falls on the upper Spokane River downstream from the project area formed barriers to the post-glacial dispersal of fishes, such as the Pacific salmon and steelhead trout, from the lower Columbia River to the Coeur d'Alene Lake basin (Simpson and Wallace 1982). There is no designated EFH in the vicinity of the project. The project will have no Adverse effects to salmonid EFH. The project will not result in the destruction or adverse modification of potential, designated or proposed EFH or salmonid prey species. The proposed activities will have no direct or indirect effects on any listed fish species or habitat.

Summary of ESA, CH, and EFH Findings

ESA Finding: No Effect.

Critical Habitat Finding: No Effect.

Essential Fish Habitat: No Adverse Effect.

5.4 Discussion of Other Effects

Construction impacts to habitats and species are not significant in this sparsely developed industrial land use zoned area. The project and is not associated with and will have an impact on SIA operations. Development will occur under applicable local (City of Airway Heights, Spokane Regional Clean Air Authority), state (Washington Department of Ecology), and federal regulations and permits to address the potential impacts of construction activities, including construction noise, dust emissions, soil erosion and management, water pollution (stormwater management) and disposal of construction debris. The specific types of construction impacts that could occur and permits or certificates that may be required are covered as a condition of the developer's permits and the process will abide by relevant regulations promulgated and enforced by each jurisdictional agency.

The subject property will be converted to private ownership for single-use development through a land release eligible for administrative/general action categorical exclusion. The proposed use is compatible with past, current, and reasonably foreseeable surrounding and similar commercial and industrial land uses. There are no currently identified significant individual impacts in any environmental or resource categories that indicate this project would trigger or produce a significant cumulative effect, require a cumulative impact analysis, or indicate an extraordinary circumstance.

The project does not include design standard upgrades and safety improvements that might improve the level of service, increase capacity, or cause an increase in development in adjacent or nearby areas that would be considered an "indirect effect" as defined under the ESA. Activity associated with the proposed project will not result in direct or indirect effects on any listed bird or mammal species.

Construction noise impacts to species and loss of habitat will not occur because listed bird and mammal species are known not to utilize the Action Area. No effects from the project are reasonably certain to occur later in time. There will be no changes to ecological systems such as predator/prey relationships, long-term habitat changes, or long-term changes in human activities or land use outside of the Action Area foot print. Indirect effects will not occur outside of the area directly affected by the action. EMFCO will be required to identify SWPPP measures to prevent or minimize adverse effects. The direct and indirect effect finding for activities proposed at the site is No Effect.

The site access is from an existing road. The project will not significantly impact current road improvement and traffic designs. No new road or other interdependent action will occur as a result of the development. No interrelated actions or interdependent actions will occur because the existing infrastructure is sufficient to accommodate the additional trips posed by the EMFCO development. Please refer to Exhibit B: City of Airway Heights documents regarding local jurisdiction comment and references supporting this analysis, including a Traffic Impact Study (Sunburst Engineering, P.S., April 2013) for an immediately adjacent property previously considered for the EMFCO development; prepared for and accepted by the City of Airway Heights for use in the Categorical Exclusion for this project.

The subject property is adjacent to a U.S. EPA air quality maintenance area (Spokane Maintenance Area) for carbon monoxide and particulate matter, as identified by the Spokane Clean Air Authority. The U.S. EPA designated Spokane Maintenance Area is managed under federal and state approved State Implementation Plans (SIP) for regional air quality. The U.S. EPA approved Washington Regional Air Quality Plans for the Spokane Maintenance Area.

6.0: SUMMARY OF EFFECT DETERMINATIONS

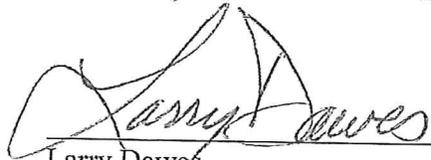
Listed species are not be susceptible to project impacts because no listed species occur in the Action Area. There is no suitable habitat present so there is no possibility of effects to listed species habitat from the project. Therefore, we have determined that this project will have “no effect” (NE) on Bull trout, Water howellia, Spalding's silene, Ute ladies'-tresses, or the Yellow-billed cuckoo. Additionally, the project will have “no effect” on designated critical habitats for these species. Table 2 summarizes the potential listed species, their nearest known occurrence, the effect determination, and the rationale for the determination.

Table 2. USFWS listed species and critical habitats potentially present in the vicinity of the .

Listed Species/ Critical Habitat	Jurisdictional Agency	Nearest Suitable Habitat	Effect Determination	Effect Determination Rationale
<i>List species and critical habitats</i>	USFWS	<i>Distance from project and location</i>	NE	<i>List rationale for each species</i>
Bull trout	USFWS	30+ miles upstream above the Post Falls Dam	NE	<i>they do not occur in the action area</i>
howellia	USFWS	+/- 8 miles Silver Lake vicinity	NE	<i>they do not occur in the action area</i>
Spalding's silene	USFWS	+/- 12 miles Turnbull Wildlife Refuge	NE	<i>they do not occur in the action area</i>
Ute ladies' tresses	USFWS	+/- 50 miles	NE	<i>they do not occur in the action area</i>
Yellow-billed cuckoo	USFWS	+/- 150 miles	NE	<i>they do not occur in the action area</i>

7.0: LIMITATIONS

Within the limitations of scope, schedule, and budget, BSW services have been executed in accordance with best available science and generally accepted professional practices for the conditions at the time the work was performed. This report is not intended to represent a legal opinion. Specifically, there is no positive or negative recommendation towards the purchase, sale, lease, or construction on the subject property. No warrant, expressed or implied, is made.

 2-3-2014
Date

Larry Dawes

Principal Biologist

Biology Soil & Water, Inc.

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Spokane Valley, WA 99212-1529

Phone 509-327-2684

Email: bswinc@icehouse.net

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APPENDIX 1

pre-consultation communications with USF&W and FAA

12/13/2013 Conference call with Jeff Leppo, Larry Dawes, and Cayla Morgan FAA. Cayla requested a BA. She also stated that the report should address Migratory Birds and Steppe Habitat.

1/12-1/15/2014. Completed field survey.

1/22/2014 Notified Cayla Morgan that frost halted additional field work. Cayla responded that it would be up to USF&W to determine if they concurred with a no effect finding without additional field work.

1/23/2014: Left a voice message for Michelle Eames, USF&W.

1/24/2014: Spoke with Michelle Eames (USF&W) regarding project at SIA. I described the 50 years of cultivation and herbicide applications in the Action Area. I described the planting of non-native grasses for erosion control when cultivation ended 20 years ago and the noxious weed infestations on the disturbed site. Michelle stated that 50 years of cultivation was justification for discounting effects on Spalding's silene without an additional survey if the logic train justified a No Effect determination. She stated that burrowing owls and other species of concern were out of her jurisdiction as would the steppe habitat No Effect determination. She suggested I discuss lack of steppe habitat steppe in the justification for a Spalding's silene No Effect determination.

1/24/2014: Subsequent to my conversation with USF&W, the results were passed on to Cayla. Cayla responded that she needed a No Effect memo and concurrence from USFWS and Correspondence with WDFW regarding steppe habitat.

1/24/2014: BSW emailed Karin Divens (WDF&W) a project area description with air photos that would allow her to make a determination on the presence/absence of steppe habitat based on her familiarity with the location of remnant steppe patches and historical cultivation at SIA.

1/29/2014 Karin Divens responded that the EMFCO site could be considered converted and not steppe habitat. She also recommended a Burrowing owl survey.

1/29/2014: Received a call from Chris Warren (USF&W). He stated that Michelle Eames would probably give him my BE report to review so I brought him up to speed on the project. I explained that Michelle felt that effects to plant species could be discounted due to 50 years of cultivation and herbicides. Chris stated that if the logic train made that case a No Effect determination would be supported. I also discussed the WDF&W conclusion that the site was converted and not steppe. I asked if he could supply all parties with a No Effect memo and concurrence if warranted and he said he could do that to expedite the process.



STATE OF WASHINGTON
DEPARTMENT OF FISH AND WILDLIFE

2315 N Discovery Place • Spokane Valley, Washington 99216-1566 • (509) 892-1001 FAX (509) 921-2440

January 29, 2014

Matt Breen
Manager, Construction & Environmental Services
Spokane International Airport
9000 W. Airport Dr., Suite 204
Spokane, WA. 99224

The Washington Department of Fish and Wildlife (WDFW) reviewed the Airport Study Area materials provided by the Biology Soil and Water consultant Larry Dawes. WDFW concurs with the findings on the ENFCO site. From a close look at the materials provided and some additional maps and field notes, WDFW concurs with the assessment completed by Biology Soil and Water at this site location. While there are areas of remnant steppe in the near proximity that have some restoration potential, this site can be considered converted.

Based on the periodic nesting of burrowing owls in the remnant habitat areas on the West Plains, and the presence of animal burrows on the site, WDFW recommends that a survey be conducted this spring to confirm presence/absence.

If you need anything else from me in regards to this proposal, let me know.

Thank you,

Karin A. Divens - Habitat Biologist

A handwritten signature in cursive script that reads "Karin A. Divens".

Washington Department of Fish and Wildlife
2315 N Discovery Place
Spokane Valley, WA 99260
(509) 892-1001 x 323

Larry Dawes

From: Jeff [leppocon@msn.com]
Sent: Monday, February 10, 2014 9:56 AM
To: Larry Dawes
Subject: FW: Proposed Sale of McFarlane and Lawson Property by Spokane International Airport

From: Warren, Chris [mailto:chris_warren@fws.gov]
Sent: Monday, February 10, 2014 9:28 AM
To: mattb@spokaneairports.net
Cc: karin.divens@dfw.wa.gov; leppocon@msn.com; k.rauter@spokaneairports.net; Karen.Miles@faa.gov; Cayla Morgan; Michelle Eames
Subject: Proposed Sale of McFarlane and Lawson Property by Spokane International Airport

Matt,

This responds to your recent inquiry regarding our assessment of your "no effect" determinations for the proposed sale of the McFarlane and Lawson Property by Spokane International Airport. As we discussed, under Endangered Species Act (ESA) section 7 regulations (50 CFR 402.14), federal agencies are required to determine whether any actions they carry out, fund, or otherwise permit may affect federally listed species or designated critical habitat. If there may be effects, formal consultation with the U.S. Fish and Wildlife Service (Service) is required, unless the Service concurs that the action is not likely to adversely affect any federally listed species or critical habitat (50 CFR 402.13). However, should the action agency, in this case the Federal Aviation Administration, determine that there are no project effects to listed species or critical habitat, there is no requirement for Service concurrence, nor do the regulations provide the Service with the authority to concur with that determination. The determination that there will be no effect to federally listed species or designated critical habitat rests with the action agency, and no consultation with the Service is required.

Based on the information that you provided, your assessment that the project will have no effect to any federally listed species or critical habitat appears to be sound. However, we recommend that the action agency document the analyses of effects, and maintain that documentation as part of their project file.

If you have any questions regarding your responsibilities under the ESA, the information provided above, or if, during implementation of the proposed actions, you believe any federally listed species or designated critical habitat may be present in the project area, please contact me or Michelle Eames to discuss appropriate measures to proceed with the proposed actions. Thank you for your coordination on this project and your continued efforts to conserve our nation's natural resources.

Chris Warren
Eastern Washington Field Office
U.S. Fish and Wildlife Service
11103 East Montgomery Drive
Spokane, Washington 99206
Phone: (509) 893-8020

Larry Dawes

From: Cayla.Morgan@faa.gov
Sent: Wednesday, January 22, 2014 4:54 PM
To: Matt Breen
Cc: Larry Dawes; dbraaten@cawh.org; James McDevitt; Karen.Miles@faa.gov; leppocon@msn.com; Larry Krauter; Todd Woodard
Subject: RE: Cat Ex and Land Release

Hi Matt,

Thanks for the response. I appreciate the comments and status of the various impact categories. I am happy to discuss further with you tomorrow, however, I am in a meeting in Olympia until noon and then have a call from 1-3. I am available after that or on Friday at 11.

Regarding a couple of your items below, I offer the following comments.

1. Traffic Impact Analysis. If Mr. Braaten believes that the Sunburst analysis is sufficient for the EMFCO proposal, we need to have an explicit statement to that effect. We cannot surmise what the local jurisdiction concludes. I also need to understand how the Sunburst analysis adequately covers this proposal. Please see my e-mail on 12/16 that outlines my questions of that report. If Mr. Braaten can answer those questions, we may be able to move forward on the traffic issue.
2. We need to analyze the full build out of the facility if it is within the three to five year time frame. If the plan is to ultimately employ 200 people within that time frame, it needs to be analyze.
3. Regarding the Tribal response. I was simply wanting to wait to see if Mr. Abrahamson responded to EWU's response to his comment. I am not suggesting that we reach out further.
4. Regarding the burrowing owl or spalding silene, I await the response of USFWS. If they are able to make findings in the absence of further field work, that is up to them. I will just want their findings in writing.

Cayla Morgan
Environmental Protection Specialist
Seattle Airports District Office
Federal Aviation Administration
425-227-2653

From: Matt Breen <matth@spokaneairports.net>
ANM-SEA-ADO, Seattle, WA
To: Cayla Morgan/ANM/FAA@FAA,
Cc: "dbraaten@cawh.org" <dbraaten@cawh.org>, Karen Miles/ANM/FAA@FAA, "leppocon@msn.com" <leppocon@msn.com>, Larry Krauter <lkrauter@spokaneairports.net>, Todd Woodard <todd.woodard@spokaneairports.net>, James McDevitt <jmcdevitt@spokaneairports.net>, Larry Dawes <bswinc@icehouse.net>
Date: 01/22/2014 04:16 PM
Subject: RE: Cat Ex and Land Release

Larry Dawes

From: Michelle Eames [michelle_eames@fws.gov]
Sent: Friday, January 24, 2014 10:31 AM
To: Larry Dawes
Subject: RE: Dawes: Airport BA contact information

You don't need to address steppe habitat separately. You can use it as part of your discussion/support for no effect to the species that occur in steppe (ie: silene spaldingii).

Remember I am only giving advice on Endangered Species Act compliance, that is typically what the federal agencies need. If there are other state or local regulations to consider, I can't help.

Michelle

From: Larry Dawes [mailto:bswinc@icehouse.net]
Sent: Friday, January 24, 2014 10:24 AM
To: 'Michelle Eames'
Subject: RE: Dawes: Airport BA contact information

Thanks Michelle:

WDF&W has mapped several square miles of the west plains as steppe habitat. However, the subject property was cultivated for 50 years and all sage was removed. When the site was converted to CRP, it was reseeded with non-native bunch grasses, and the site is regenerating to open canopy Ponderosa pine habitat. Do I need to address the historical disturbances and have a No Effect finding for steppe habitat so you can comment or concur on the absence of steppe habitat also?

Thanks again for your assistance today, I won't bug you anymore until the report is submitted.

Regards,

Larry Dawes

Biology Soil & Water, Inc.
3102 N. Girard Road
Spokane Valley, WA 99212
509-327-2684
bswinc@icehouse.net

From: Michelle Eames [mailto:michelle_eames@fws.gov]
Sent: Friday, January 24, 2014 8:36 AM
To: Larry Dawes
Subject: RE: Dawes: Airport BA contact information

Got it. Thanks.

Michelle Eames
Eastern Washington Field Office
U.S. Fish and Wildlife Service
11103 E. Montgomery Drive
Spokane Valley, WA 99206

E-mail: michelle_eames@fws.gov

Larry Dawes

From: Cayla.Morgan@faa.gov
Sent: Friday, January 24, 2014 12:05 PM
To: Matt Breen
Cc: Larry Dawes; dbraaten@cawh.org; James McDevitt; Karen.Miles@faa.gov; leppocon@msn.com; Larry Krauter; Todd Woodard
Subject: RE: Cat Ex and Land Release

Thanks Matt. I did receive the separate message from Mr. Braaten and will get back with you on that after I review. Your response on all of the other items is very helpful and if integrated into the CatEx Form, I believe you have made great progress.

The "to-do" list at this time for completion of the environmental evaluation are as follows from my perspective:

1. Cayla review and respond to Mr. Braaten's e-mail on traffic.
2. Document the additional communication with the Spokane Tribe.
3. Document that there are no EJ populations in the project area.
4. No Effect memo and concurrence from USFWS/Correspondence with WDFW

Cayla Morgan
Environmental Protection Specialist
Seattle Airports District Office
Federal Aviation Administration
425-227-2653

From: Matt Breen <mattb@spokaneairports.net>
ANM-SEA-ADO, Seattle, WA
To: Cayla Morgan/ANM/FAA@FAA,
Cc: Larry Dawes <bswinc@icehouse.net>, "dbraaten@cawh.org"
<dbraaten@cawh.org>, James McDevitt
<jmcdevitt@spokaneairports.net>, Karen Miles/ANM/FAA@FAA,
"leppocon@msn.com" <leppocon@msn.com>, Larry Krauter
<lkrauter@spokaneairports.net>, "Todd Woodard"
<todd.woodard@spokaneairports.net>
Date: 01/23/2014 04:16 PM
Subject: RE: Cat Ex and Land Release

Hello Cayla:

Thanks for taking the time to speak with me this afternoon. I wanted to update you on our progress, the first four items by your numbers:

1. Derrick Braaten with the City of Airway Heights has addressed concerns associated with the Traffic Impact Analysis under separate cover. We are hopeful that the questions, extracted from your TIA review of 12/16, and Derrick's answers will allow us to finalize the traffic issue.

Larry Dawes

From: Larry Dawes [bswinc@icehouse.net]
Sent: Wednesday, January 29, 2014 11:02 AM
To: 'chris_warren@fws.gov'
Subject: Dawes: SIA BE
Attachments: EMFCO site.pdf

Hi Chris:

Thanks for the call today. Here is some information on the Spokane International Airport site we discussed today.

Leppo Consulting, LLC. retained Biology Soil and Water, Inc. (BSW) to complete a Biological Evaluation (BE) for a site identified for potential future industrial development identified as the McFarlane and Lawson Property under consideration for sale by Spokane International Airport (SIA) to EMFCO. The Project Area, located west of the SIA runway and south of Airway Heights, encompasses 56.6 acres in the NE 1/4 of Section 35, T25N, R41E. The Project Area is located approximately 1 mile west of Hayford Road on the south side of McFarlane Road.

The attached figures will give some idea of what's there. I sent these to Karin at WDF&W to show her the location. She and I walked the adjacent 1 mi² site last year when I was showing her some patches of remaining steppe habitat. You can see from the photos of the subject property that the site was cultivated (for 50 years) and there is no steppe left.

Thanks again Chris.

Regards,

Larry Dawes

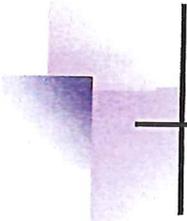
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BIOLOGY SOIL & WATER, INC.

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Karin A. Divens
Habitat Biologist, WDF&W
2315 N Discovery Place
Spokane Valley, WA 99260

January 24, 2014

Hi Karin:

You may recall that early last year you, Howard, and I walked a one square mile of land on Spokane International Airport (SIA) property to identify remnant steppe habitat. Part of that site was a potential home for Boeing. Airway Heights and W. McFarlane Road define the north boundary of that property. I took you and Howard to a mounded area that had never been cultivated, but was fenced and heavily grazed. In the fenced areas there were some wetlands and a stunted sagebrush community and some remnants of steppe habitat. However, most of the mile square site had been cultivated in wheat for 50 years, and then converted to CRP land by planting non-native bunch grasses so there was no remaining steppe. Those previously cultivated areas had high concentrations of noxious weeds and vast seas of knapweed. There were also patches of St John's wort and sticky cinquefoil, and some patches where a few native plants are beginning to re-colonize, including regenerating Ponderosa pines in the 1-20 year old class range. However, the site is distinguished by bunchgrasses that were drill seeded into neat little rows and seas of noxious weeds. Hopefully this is helping you remember the site??

SIA is currently trying to sell a 54 acre parcel of land located west of and adjacent to the parcel we looked at last year. W. McFarlane Road is also the north border of this parcel. The potential buyer is EMFCO, an aeronautical parts manufacturing company. The deal has to be completed by March 1, 2014 or ENFCO and its 100 employees go elsewhere. FAA is requiring SIA to complete environmental surveys and get signed off by WDF&W and USF&W before FAA will approve the sale. So SIA asked for me to complete the environmental work it needs to complete the deal on time.

After the snow melted and before the frost covered the site, I completed a survey for burrowing owls. They are not due to migrate back into the Spokane area for another couple of months, but due to the absence of snow I was able to complete a survey for mammal burrows that could be used by burrowing owls. I located three suitable burrows on the site. Two are on the south ditch bank along McFarlane Road. A third is located about 120 feet from the east property line. All three burrows are large enough to be used by owls. All three potential burrows are over 300 feet from the proposed building foot print. I talked to Michelle Eames at USF&W about these 3 potential burrows and she said that in her opinion 300 feet was an adequate buffer and that she supported a NO EFFECT finding for owls. Michelle stated that since there were no streams on the site, Bull Trout impacts were also discountable. I told her there were no wetlands and she said effects to Water howellia and Ute ladies' tresses were also discountable so she would concur with a NO EFFECT finding all listed species.

Michelle lives on the west plains and is familiar with the subject area and the degree of historical disturbance. She stated that she recalled the site as being historically cultivated. I replied that it had been cultivated in wheat for over 50 years. I explained that the site was

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replanted in non-native bunch grasses about twenty years ago. She said that she would support a NO EFFECT finding for Spalding's silene due to the historical cultivation alone if I wrote a logic trail for that finding. I told her that I was going to complete a survey for that species when the frost disappeared in the next few days. She stated that she would absolutely support a NO EFFECT finding for all species if I surveyed the site and found no silene. I assured her that I would complete the survey at the earliest possible moment and I thought that would be within a week or ten days, frost permitting.

I asked Michelle about the sagebrush lizard and she stated that it is not a Federally listed species but only a species of concern so she was not required to address that species. She stated that the species does not occur on her property and that she has not seen that species this far east in Spokane County. She said the potential effects on that species are also fully discountable due to the history of cultivation and lack of sagebrush.

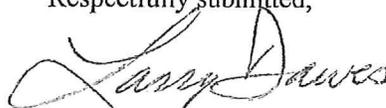
Michelle said that if I sent her a report with NO EFFECT findings, and a logic trail for each finding, then she would send me an email concurrence and get the project moving forward. The remaining piece that needs to be addressed to the satisfaction of FAA is steppe habitat and a letter from WDF&W. I have attached several figures that show the project location and the EMFCO project site relative to the site we walked last year. I have also enclosed some Google earth photos that show the difference in habitat between the mounded, never cultivated land I showed you last year compared to the historically cultivated land where there is no remaining steppe. Historically cultivated land where there is no remaining steppe describes the EMFCO site.

I will be watching the site daily so I can do the Spalding's silene survey as soon as the frost melts. In all honesty, I don't see the frost melting for about one week. I know you are very busy with the WDF&W hydraulics integrating with DNR forest practice thing, and I am hoping that you are getting that off of your desk so you might have time to meet me on site for an hour or so assuming you want to walk the site before you provide an opinion.

I'm just giving you a heads up and some information so you are totally familiar with the site location, characteristics, etc so that when the frost melts we can knock this out in short order. I would be looking for a position statement on the presence/absence of steppe habitat and concurrence with the listed species findings. That would be sufficient for FAA to approve the sale. What additional local requirements would have to be met by EMFCO after the sale is a separate issue that would have to be addressed down the road. This is just to clear the land for FAA approval of the sale.

Thanks Karin. I'll call to set up a field trip when the weather forecast indicates the frost will be melting away.

Respectfully submitted,



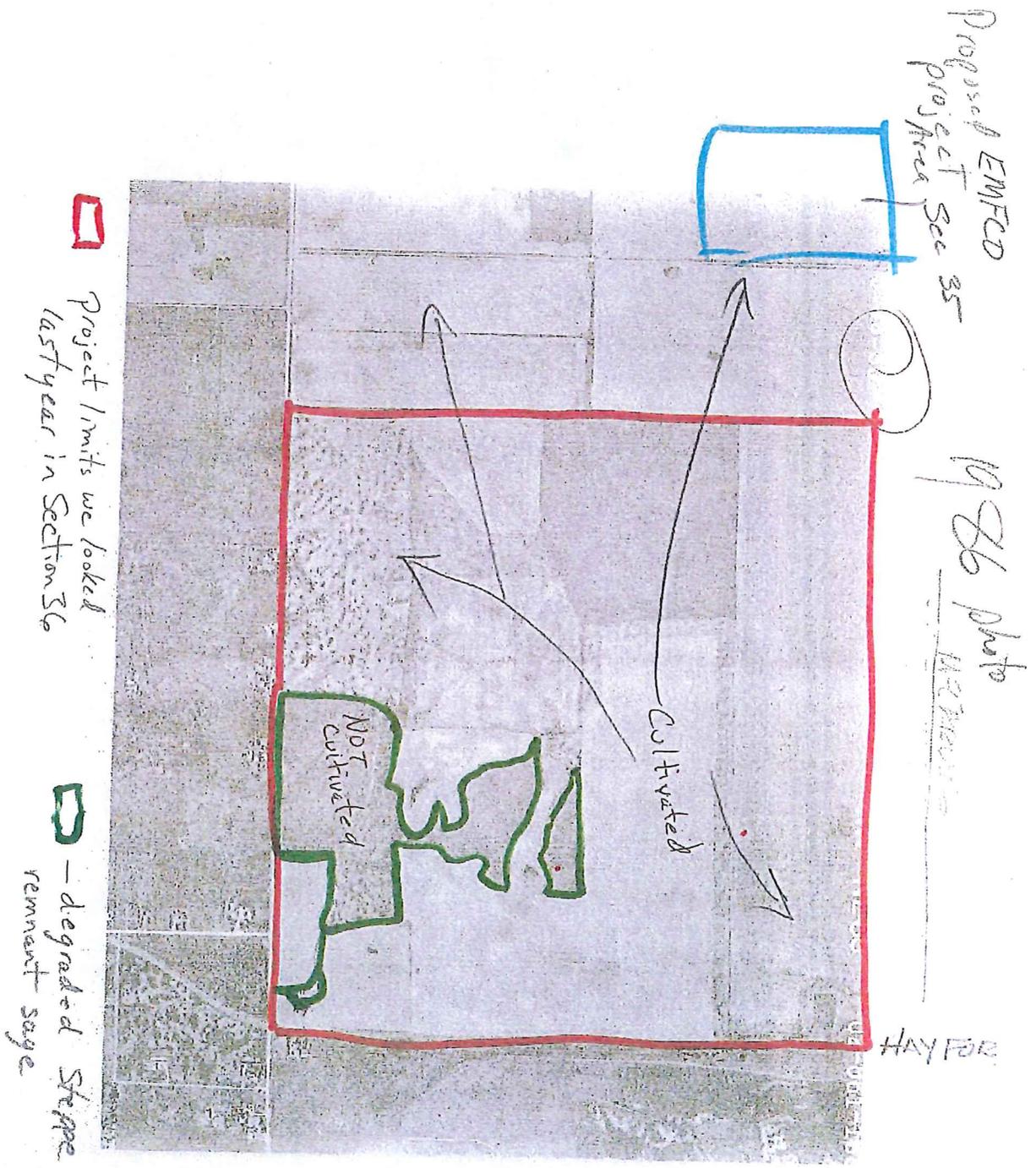
Larry Dawes
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Figure 2: Site #1 Wetlands



— Previous Survey area we walked last year
— EMFEO study area

Figure 4





historically cultivated!

grazed, not cultivated, mounds w/ rennet sage

Google earth

feet 1000
meters 400

Google earth

This is the Boeing site we looked @ last year (a small part)

Larry Dawes

From: Divens, Karin A (DFW) [Karin.Divens@dfw.wa.gov]
Sent: Wednesday, January 29, 2014 2:01 PM
To: Larry Dawes
Subject: RE: Dawes: new Airport study area

The Washington Department of Fish and Wildlife (WDFW) has reviewed the attached Airport Study Area and concurs with the findings on the ENFCO site. From a close look at the materials provided and some additional maps and field notes, WDFW concurs with the assessment completed by Biology Soil and Water at this site location. While there are areas of remnant steppe in the near proximity that have some restoration potential, this site can be considered converted.

Based on the periodic nesting of burrowing owls in the remnant habitat areas on the West Plains, and the presence of animal burrows on the site, WDFW recommends that a survey be conducted this spring to confirm presence/absence.

If you need anything else from me in regards to this proposal, let me know.

Thank you,

Karin A. Divens - Habitat Biologist

Washington Department of Fish and Wildlife
2315 N Discovery Place
Spokane Valley, WA 99260
(509) 892-1001 x 323

From: Larry Dawes [<mailto:bswinc@icehouse.net>]
Sent: Friday, January 24, 2014 12:38 PM
To: Divens, Karin A (DFW)
Cc: Matt Breen; Jeff
Subject: Dawes: new Airport study area

Hi Karin:

Please find attached a letter and some information on a new project at Spokane International Airport. I'll be contacting you soon to schedule a field review at your convenience.

Thanks Karin.

Regards,

Larry Dawes

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APPENDIX 2

NOAA FISHERIES AND U.S. FISH & WILDLIFE SERVICE SPECIES LIST FOR SPOKANE COUNTY Updated 12/29/2013

LISTED

Threatened

Bull trout (*Salvelinus confluentus*) – Columbia River distinct population segment
Howellia aquatilis (Water howellia), plant
Silene spaldingii (Spalding's silene), plant
Spiranthes diluvialis (Ute ladies'-tresses), plant

CANDIDATE

Yellow-billed cuckoo (*Coccyzus americanus*)

SPECIES OF CONCERN

Animals

Bald eagle (*Haliaeetus leucocephalus*) (delisted, monitor status)
Burrowing owl (*Athene cunicularia*)
California floater (*Anodonta californiensis*), mussel
Ferruginous hawk (*Buteo regalis*)
Giant Columbia spire snail (*Fluminicola columbiana*)
Loggerhead shrike (*Lanius ludovicianus*)
Long-eared myotis (*Myotis evotis*)
Northern goshawk (*Accipiter gentilis*)
Olive-sided flycatcher (*Contopus cooperi*)
Pallid Townsend's big-eared bat (*Corynorhinus townsendii pallescens*)
Peregrine falcon (*Falco peregrinus*) (Delisted, monitor status)
Redband trout (*Oncorhynchus mykiss*)
Sagebrush lizard (*Sceloporus graciosus*)
Westslope cutthroat trout (*Oncorhynchus clarki lewisi*)

Vascular Plants

Haplopappus liatrifomis (Palouse goldenweed)