

APPENDIX I

*CORRESPONDENCE WITH THE MICHIGAN DEPARTMENT OF
NATURAL RESOURCES (MDNR) AND THE U.S. FISH AND
WILDLIFE SERVICE*



IN REPLY REFER TO

United States Department of the Interior

FISH AND WILDLIFE SERVICE

East Lansing Field Office
2651 Coolidge Road, Suite 101
East Lansing, Michigan 48823-6316

May 16, 2001

Ted Lee
Mooney & Associates
9903 Businesspark Avenue
San Diego, CA 92131-1120

Re: Endangered Species List Request, Proposed Property Transfer from Fee Title to Federal Trust,
and Commercial Development, Wayland Township, Allegan County, Michigan

Dear Mr. Lee:

This letter is in response to your request of May 14, 2001 for information on listed and proposed endangered and threatened species, and critical habitat which may be present within the proposed project area. These comments are made pursuant to Section 7(c) of the Endangered Species Act of 1973 (the Act), as amended, (87 Stat. 884, 16 U.S.C. 1531 *et seq.*).

Based on information presently available to the U.S. Fish and Wildlife Service (Service), there are no listed or proposed species occurring within the proposed project area. This presently precludes the need for further action on this project as required under Section 7 of the Act.

The Service advises, however, that should a species become officially listed or proposed before completion of this project, the Federal action agency for the work would be required to reevaluate its responsibilities under the Act. Further, should new information become available that indicates listed or proposed species may be present and/or affected, consultation should be initiated with the Service.

Since threatened and endangered species data is continually updated, new information pertaining to this project may become available which may modify these recommendations. Therefore, the Service recommends your agency annually request updates to this list.

We appreciate your concern for endangered species and look forward to continued coordination with your agency. Any questions can be directed to Tom Eitniew of this office at (517) 351-6283.

Sincerely,


for Craig A. Czamecki
Field Supervisor

cc: Michigan Department of Natural Resources, Wildlife Division, Lansing, MI
(Attn: Lori Sargent)



JOHN ENGLER, Governor

DEPARTMENT OF NATURAL RESOURCES

STEVENS T MASON BUILDING, PO BOX 30028, LANSING MI 48909-7528

WEBSITE: www.dnr.state.mi.us

K. L. COOL, Director

REPLY TO:

NATURAL HERITAGE
WILDLIFE DIVISION
PO BOX 30180
LANSING MI 48909-7880

**NATURAL RESOURCES
COMMISSION**

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July 3, 2001

Mr. Ted Lee
Mooney & Associates
9903 Businesspark Avenue
San Diego, CA 92131-1120

RE: Gun Lake Project

Dear Mr. Lee:

The location of the proposed project was checked against known localities for natural features. Unique natural features are recorded in a statewide database. This continuously updated database is a comprehensive source of existing data on Michigan's endangered, threatened, or otherwise significant plant and animal species, natural plant communities, and other natural features. Records in the database indicate that a qualified observer has documented the presence of special natural features at a site. The absence of records in the database for a particular site may mean that the site has not been surveyed. Records are not always up-to-date, and may require verification. In some cases, the only way to obtain a definitive statement on the status of natural features is to have a competent biologist perform a complete field survey.

Under Act 451 of 1994, the Natural Resources and Environmental Protection Act, Part 365, Endangered Species Protection, "a person shall not take, possess, transport, ...fish, plants, and wildlife indigenous to the state and determined to be endangered or threatened." unless first receiving an Endangered Species Permit from the Department of Natural Resources, Wildlife Division. *Responsibility to protect endangered and threatened species is not limited to the list below. Other species may be present that have not been recorded in the database.*

The presence of threatened or endangered species does not preclude activities or development, but may require alterations in the project plan. Special concern species are not protected under endangered species legislation, but recommendations regarding their protection may be provided. Protection of special concern species will help prevent them from declining to the point of being listed as threatened or endangered in the future.

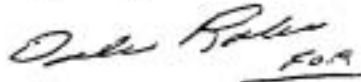
If the project is located on or adjacent to wetlands, inland lakes, or streams, additional permits may be required. Contact the Michigan Department of Environmental Quality, Land and Water Management Division, P.O. Box 30473, Lansing, MI 48909 (517-373-1170).

The following is a summary of the results for the project in Allegan County; Wayland Township, T3N R11W sections 19, 21, 28, 22, and 27.

The project should have no impact on rare or unique natural features at the location specified above if it proceeds according to the plans provided. Please contact me for an evaluation if the project plans are changed.

Thank you for your advance coordination in addressing the protection of Michigan's natural resource heritage. If you have further questions, please call me at 517-373-1263.

Sincerely,

Handwritten signature of Lori G. Sargent in cursive script, with the initials "LGS" written below the signature.

Lori G. Sargent
Endangered Species Specialist
Wildlife Division

LGS:jao