

April 9, 2025

Project Reference #23668

Mr. Benji Timm
Project Manager
Redevelopment Authority of the City of Milwaukee
809 North Broadway
Milwaukee, WI 53202

Re: WEDC Endangered Resource Review – Century City
3025 W. Hopkins St, Milwaukee, Wisconsin

Dear Mr. Timm:

The Sigma Group, Inc. (Sigma) has prepared the following summary related to endangered resources at the approximately 44-acre subject property (Site).

At the request of Sigma, the Wisconsin Department of Natural Resources (WDNR) has completed an Endangered Resource Review for the Site. Below is a summary of the findings from the WDNR review.

There were no findings identified which require any actions. There are five (5) findings that were identified. Of these five, two (2) have recommended actions, and the remaining three (3) require no follow-up actions.

Recommended actions:

- Yellow Bumble Bee:
 - consider use of native trees, shrubs, and flowering plants in landscaping
 - provide plants that bloom spring through fall
 - remove and control invasive plants
- Butler's Garter Snake:
 - Minimize impacts to wetlands or disturb wetlands during active season of snakes
 - Uplands – conduct activities outside active season
 - Install exclusion fencing, do light activities to disturb snakes to allow them to move out of the area

No follow-up actions:

- Longear Sunfish: no suitable habitat present or adjacent
- Redfin Shiner: no suitable habitat present or adjacent
- Elktote Mussel: no suitable habitat present or adjacent

If you have any further questions concerning this reliance letter, please do not hesitate to contact the undersigned.

Sincerely,

THE SIGMA GROUP, INC.



Paul J. Imig, P.E.
Civil Engineering Group Leader



Christopher Carr, P.E.
Vice President



State of Wisconsin / DEPARTMENT OF NATURAL RESOURCES

Tony Evers, Governor
Karen Hyun, Ph.D., Secretary
Telephone 608-266-2621
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101 S. Webster St.
Box 7921
Madison, WI 53707-7921

April 7, 2025

Paul Imig
The Sigma Group, Inc.
1300 W. Canal St
Milwaukee, WI 53233

SUBJECT: Endangered Resources Review (ERR Log # 25-147)
Proposed Century City, Milwaukee County, WI (T07N R21E S12)

Dear Paul Imig,

The Bureau of Natural Heritage Conservation has reviewed the proposed project described in the Endangered Resources (ER) Review Request received March 5, 2025. The complete ER Review for this proposed project is attached and follow-up actions are summarized below:

Required Actions: 0 species

Recommended Actions: 2 species

No Follow-Up Actions: 3 species

Additional Recommendations Specified: Yes

This ER Review may contain Natural Heritage Inventory data (<http://dnr.wi.gov/topic/NHI>), including specific locations of endangered resources, which are considered sensitive and are not subject to Wisconsin's Open Records Law. Information contained in this ER Review may be shared with individuals who need this information in order to carry out specific roles in the planning, permitting, and implementation of the proposed project. **Specific locations of endangered resources may not be released or reproduced in any publicly disseminated documents.**

The attached ER Review is for informational purposes and only addresses endangered resources issues. **This ER Review does not constitute DNR authorization of the proposed project and does not exempt the project from securing necessary permits and approvals from the DNR and/or other permitting authorities.** Please contact the ER Review Program whenever the project plans change, new details become available, or more than a year has passed to confirm if results of this ER Review are still valid.

Please contact me at 608-419-2005 or via email at anna.rossler@wi.gov if you have any questions about this ER Review.

Sincerely,

Anna Rossler
Endangered Resources Review Program

cc:

Endangered Resources Review for the Proposed Century City, Milwaukee County
(ER Log # 25-147)

Section A. Location and brief description of the proposed project

Based on information provided by the ER Review Request form and attached materials, the proposed project consists of the following:

Location	Milwaukee County - T07N R21E S12
Project Description	Proposed industrial development consisting of several properties to be combined/divided for multiple proposed buildings/developments on a combined 43.5 acres.
Project Timing	6/2025- 12/2027
Current Habitat	The site formerly served as industrial development and has been razed, graded, and capped in preparation for development. A stormwater basin and several drainage swales were created between 2010 and 2020 to provide appropriate stormwater management controls to handle drainage until development occurs and after complete. The site is vegetated with low maintenance turf and has no trees.
Impacts to Wetlands or Waterbodies	The WDNR Surface Water Data Viewer indicates that there are wetlands at the stormwater pond and within the created drainage swales. No other wetlands or water bodies are known to be present on site.
Property Type	Public, Private
Federal Nexus	No

It is best to request ER Reviews early in the project planning process. However, some important project details may not be known at that time. Details related to project location, design, and timing of disturbance are important for determining both the endangered resources that may be impacted by the project and any necessary follow-up actions. Please contact the ER Review Program whenever the project plans change, new details become available, or more than a year has passed to confirm if results of this ER Review are still valid.

Section B. Endangered resources recorded from within the project area and surrounding area

	Group	State Status	Federal Status
Yellow Bumble Bee (<i>Bombus fervidus</i>)	Bee	SC/N	
Longear Sunfish (<i>Lepomis megalotis</i>)	Fish~	THR	
Redfin Shiner (<i>Lythrurus umbratilis</i>)	Fish~	THR	
Elktoe (<i>Alasmodonta marginata</i>)	Mussel~	SC/P	
Butler's Gartersnake (<i>Thamnophis butleri</i>)	Snake~	SC/H	

For additional information on the rare species, high-quality natural communities, and other endangered resources listed above, please visit our Biodiversity (<http://dnr.wi.gov/topic/EndangeredResources/biodiversity.html>) page. For further definitions of state and federal statuses (END=Endangered, THR=Threatened, SC=Special Concern), please refer to the Natural Heritage Inventory (NHI) Working List (<http://dnr.wi.gov/topic/nhi/wlist.html>).

Section C. Follow-up actions

Actions that need to be taken to comply with state and/or federal endangered species laws: None

Actions recommended to help conserve Wisconsin's Endangered Resources:

• Yellow Bumble Bee (*Bombus fervidus*) - Bee

State Status: SC/N

Impact Type	Impact possible
Recommended Measures	Other
Description of Recommended Measures	Suitable habitat for the Yellow Bumble Bee may be present at the project site. Consider implementing the following actions to help maintain and create suitable habitat. • use native trees, shrubs and flowering plants in landscaping, • provide plants that bloom from spring through fall (Wisconsin Native Plant Species List: https://p.widencdn.net/tanvm9/NH0936), • remove and control invasive plants in any habitat used for foraging, nesting, or overwintering Yellow Bumble Bee (<i>Bombus fervidus</i>), a State Special Concern bee, inhabits grassy, open areas, which include forest clearings, gardens, parks, and along roadsides. Nests are found both above and below the ground, though most commonly above ground. A nesting site is usually at least 50m from an area where food is plentiful enough to feed the entire colony. The breed in the summer months. Nectar/pollen plants include aster, black-eyed Susan, common milkweed, Queen Anne's lace, dandelions, bull thistle, goldenrod, jewelweed, devil's beggartick, Joe-pye weed, climbing bittersweet, black willow, yellow poplar, American holly, ragweed, greater bladderwort, blueberry, jimsonweed, honeysuckle, and rose mallow. In Wisconsin, observation records have mostly been made between May and October.

• Butler's Gartersnake (*Thamnophis butleri*) - Snake~

State Status: SC/H

Impact Type	Impact possible
Recommended Measures	Time of year restriction, Exclusion Fencing, Other
Description of Recommended Measures	Since suitable habitat for the Butler's Gartersnake is present within the project site, the following measures can voluntarily be implemented to avoid take: Wetlands – Butler's Gartersnakes are typically present in open to semi-open canopy wetlands year-round. Because this species can be found in this habitat throughout the year, impacts to these wetlands should be minimized at all times. If wetlands will be disturbed, it is recommended to disturbance take place during the active season when snakes may be able to move out of the project site. Uplands – For semi-open canopy uplands within 300 ft (91 m) of a wetland, conduct work outside of the Butler's/Plains Gartersnake active season (March 5 – November 15). The installation and maintenance of exclusion fencing using the WDNR Amphibian and Reptile Exclusion Fencing Protocol is an avoidance option that can be used during this period as long as the exclusion fencing is installed between November 16 and March 4. Work can then be conducted within the fenced area at any time of year as long as the fencing is maintained. If the above measures cannot be implemented, it is recommended to walk through or gently disturb an area immediately prior to disturbance. This may allow a snake to move out of the area. If a snake is found, please allow it to move or carefully move it to suitable habitat outside the project area and photodocument if possible, for verification. Please note, active dates are updated frequently in the spring, starting in early March, and can be checked here: https://dnr.wi.gov/topic/Wildlifehabitat/HerpRegulations.html Butler's Gartersnake (<i>Thamnophis butleri</i>), a Special Concern species in Wisconsin, prefers almost any open or semi-open canopy wetland habitat and adjacent open or semi-open canopy upland habitat, including prairies, old fields, and weedy vacant lots. They prefer low-canopy vegetation (<24"), although they will occupy areas with taller vegetation such as reed canary grass. Butler's gartersnakes can be active from early-March through mid-November and usually emerge shortly after frost-out and remain active until daytime temperatures fall consistently below 50 deg F. Breeding usually occurs in April and early-May but can also occur in fall. Live young are born between mid-July and mid-August.

Remember that although these actions are not required by state or federal endangered species laws, they may be required by other laws, permits, granting programs, or policies of this or another agency. Examples include the federal Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, State Natural Areas law, DNR Chapter 30 Wetland and Waterway permits, DNR Stormwater permits, and Forest Certification.

Additional Recommendations

Please note that plastic or polypropylene netting associated with erosion matting (also known as an erosion control blankets or erosion mesh netting) without independent movement of strands can easily entrap snakes and other wildlife moving through the area, and cause dehydration, desiccation, and eventually mortality. Biodegradable jute/twine netting with the "leno" or "gauze" weave (contains strands that are able to move independently) has the least impact on snakes.

If erosion matting will be used for this project, use the following matting (or something similar): American Excelsior "FibreNet" or "NetFree" products; East Coast

No actions are required or recommended for the following endangered resources:

• **Longear Sunfish (*Lepomis megalotis*) - Fish~**

State Status: THR

Impact Type	No impact or no/low broad ITP/A
Reason	Lack of Suitable Habitat within Project Boundary
Justification	No suitable habitat is present at or adjacent to the project site. No impacts are anticipated. Longear Sunfish (<i>Lepomis megalotis</i>), listed as Threatened in Wisconsin, prefers clear, shallow, moderately warm, still waters of streams and occasionally in lakes.

• **Redfin Shiner (*Lythrurus umbratilis*) - Fish~**

State Status: THR

Impact Type	No impact or no/low broad ITP/A
Reason	Lack of Suitable Habitat within Project Boundary
Justification	No suitable habitat is present at or adjacent to the project site. No impacts are anticipated. Redfin Shiner (<i>Lythrurus umbratilis</i>), listed as Threatened in Wisconsin, prefers turbid waters of pools in low-gradient streams over substrates of boulders, cobble, sand, silt, or detritus.

• **Elktoe (*Alasmodonta marginata*) - Mussel~**

State Status: SC/P

Impact Type	No impact or no/low broad ITP/A
Reason	Lack of Suitable Habitat within Project Boundary
Justification	No suitable habitat is present at or adjacent to the project site. No impacts are anticipated. Elktoe (<i>Alasmodonta marginata</i>), a State Special Concern mussel, is found in various-sized streams with flowing water, sand, gravel, or rock substrates that are stable.

Section D. Next Steps

1. Evaluate whether the '**Location and brief description of the proposed project**' is still accurate. All recommendations in this ER Review are based on the information supplied in the ER Review Request. If the proposed project has changed or more than a year has passed and you would like your letter renewed, please contact the ER Review Program to determine if the information in this ER Review is still valid.
2. Determine whether the project can incorporate and implement the '**Follow-up actions**' identified above:
 - o 'Actions that need to be taken to comply with state and/or federal endangered species laws' represent the Department's best available guidance for complying with state and federal endangered species laws based on the project information that you provided and the endangered resources information and data available to us. If the proposed project has not changed from the description that you provided us and you are able to implement all of the 'Actions that need to be taken to comply with state and/or federal endangered species laws', your project should comply with state and federal endangered species laws. Please remember that if a violation occurs, the person responsible for the taking is the liable party. Generally this is the landowner or project proponent. For questions or concerns about individual responsibilities related to Wisconsin's Endangered Species Law, please contact the ER Review Program.
 - o If the project is unable to incorporate and implement one or more of the 'Actions that need to be taken to comply with state and/or federal endangered species laws' identified above, the project may potentially violate one or more of these laws. Please contact the ER Review Program immediately to assist in identifying potential options that may allow the project to proceed in compliance with state and federal endangered species laws.
 - o 'Actions recommended to help conserve Wisconsin's Endangered Resources' may be required by another law, a policy of this or another Department, agency or program; or as part of another permitting, approval or granting process. Please make sure to carefully read all permits and approvals for the project to determine whether these or other measures may be required. Even if these actions are not required by another program or entity for the proposed project to proceed, the Department strongly encourages the implementation of these conservation measures on a voluntary basis to help prevent future listings and protect Wisconsin's biodiversity for future generations.

Section E. Standard Information to help you better understand this ER Review

Endangered Resources (ER) Reviews are conducted according to the protocols in the guidance document Conducting Proposed Endangered Resources Reviews: A Step-by-Step Guide for Wisconsin DNR Staff.

How endangered resources searches are conducted for the proposed project area: An endangered resources search is performed as part of all ER Reviews. A search consists of querying the Wisconsin Natural Heritage Inventory (NHI) database for endangered resources records for the proposed project area. The project area evaluated consists of both the specific project site and a buffer area surrounding the site. A 1 mile buffer is considered for terrestrial and wetland species, and a 2 mile buffer for aquatic species. Endangered resources records from the buffer area are considered because most lands and waters in the state, especially private lands, have not been surveyed. Considering records from the entire project area (also sometimes referred to as the search area) provides the best picture of species and communities that may be present on your specific site if suitable habitat for those species or communities is present.

Categories of endangered resources considered in ER Reviews and protections for each: Endangered resources records from the NHI database fall into one of the following categories:

- Federally-protected species include those federally listed as Endangered or Threatened and Designated Critical Habitats. Federally-protected animals are protected on all lands; federally-protected plants are protected only on federal lands and in the course of projects that include federal funding (see Federal Endangered Species Act of 1973 as amended).
- Animals (vertebrate and invertebrate) listed as Endangered or Threatened in Wisconsin are protected by Wisconsin's Endangered Species Law on all lands and waters of the state (s. 29.604, Wis. Stats.).
- Plants listed as Endangered or Threatened in Wisconsin are protected by Wisconsin's Endangered Species Law on public lands and on land that the person does not own or lease, except in the course of forestry, agriculture, utility, or bulk sampling actions (s. 29.604, Wis. Stats.).
- Special Concern species, high-quality examples of natural communities (sometimes called High Conservation Value areas), and natural features (e.g., caves and animal aggregation sites) are also included in the NHI database. These endangered resources are not legally protected by state or federal endangered species laws. However, other laws, policies (e.g., related to Forest Certification), or granting/permitting processes may require or strongly encourage protection of these resources. The main purpose of the Special Concern classification is to focus attention on species about which some problem of abundance or distribution is suspected before they become endangered or threatened.
- State Natural Areas (SNAs) are also included in the NHI database. SNAs protect outstanding examples of Wisconsin's native landscape of natural communities, significant geological formations, and archeological sites. Endangered species are often found within SNAs. SNAs are protected by law from any use that is inconsistent with or injurious to their natural values (s. 23.28, Wis. Stats.).

Please remember the following:

1. This ER Review is provided as information to comply with state and federal endangered species laws. By following the protocols and methodologies described above, the best information currently available about endangered resources that may be present in the proposed project area has been provided. However, the NHI database is not all inclusive; systematic surveys of most public lands have not been conducted, and the majority of private lands have not been surveyed. As a result, NHI data for the project area may be incomplete. Occurrences of endangered resources are only in the NHI database if the site has been previously surveyed for that species or group during the appropriate season, and an observation was reported to and entered into the NHI database. As such, absence of a record in the NHI database for a specific area should not be used to infer that no endangered resources are present in that area. Similarly, the presence of one species does not imply that surveys have been conducted for other species. Evaluations of the possible presence of rare species on the project site should always be based on whether suitable habitat exists on site for that species.
2. This ER Review provides an assessment of endangered resources that may be impacted by the project and measures that can be taken to avoid negatively impacting those resources based on the information that has been provided to ER Review Program at this time. Incomplete information, changes in the project, or subsequent survey results may affect our assessment and indicate the need for additional or different measures to avoid impacts to endangered resources.
3. This ER Review does not exempt the project from actions that may be required by Department permits or approvals for the project. Information contained in this ER Review may be shared with individuals who need this information in order to carry out specific roles in the planning, permitting/approvals, and implementation of the proposed project.