

## UPDATED INFORMATION: Natural Resource Review

September 22, 2015

Nevada Department of Wildlife  
Attn: Steve Foree  
Headquarters / Western Region  
1100 Valley Rd.  
Reno, NV 89512  
[sforee@ndow.org](mailto:sforee@ndow.org)

**Subject: Proposed Communications Facility**  
**Site Identifier: Elko Fairgrounds / Ensite #22164**  
**Site Address: 1225 Water Street, Elko, Elko County, NV 89801**  
**Latitude / Longitude: 40° 50' 13.68" / 115° 45' 9.36"**  
**EBI Project No. 6114008424**

Dear Mr. Foree,

On behalf of Cellco Partnership and its controlled affiliates doing business as Verizon Wireless (Verizon Wireless), EBI Consulting (EBI) has prepared the following information (the *Update*) pertaining to the Elko Fairgrounds / Ensite #22164 Natural Resource Review (the *Review*), dated January 13, 2015, and the update letter dated May 21, 2015 for the above-referenced property (herein, the Subject Property).

**PROJECT SUMMARY UPDATE**

As of the date of this Review, Verizon Wireless has changed the equipment from an indoor shelter to outdoor equipment and moved the generator north within the same lease area. As with the original location, the area of the newly proposed installation consists of disturbed lands that support undeveloped non-native grassland and asphalt paved parking and drives.

**PROTECTED SPECIES REVIEW UPDATE**

No proposed change

**FLOOD ZONE REVIEW UPDATE**

No proposed change


**WETLANDS REVIEW UPDATE**

No proposed change

**FINDINGS AND CONCLUSIONS**

Based on the results of EBI's review of the proposed modification, it is anticipated that the proposed telecommunications facility will continue to have 'no effect' on protected species as identified in the original Natural Resource Review and subsequent update.

Sincerely,

  
Mr. Bill Arnerich  
Biologist  
Mr. Jason Stayer  
Biologist

## UPDATED INFORMATION: Natural Resource Review

May 21, 2015

Nevada Department of Wildlife  
Attn: Steve Foree  
60 Youth Center Road  
Elko, NV 89801  
(775) 777-2306  
[sforee@ndow.org](mailto:sforee@ndow.org)

**Subject: Proposed Telecommunications Facility**  
**Site Identifier: Elko Fairgrounds / Ensite #22164**  
**Site Address: 1225 Water Street, Elko, Elko County, NV 89801**  
**Latitude / Longitude: 40° 50' 13.68" / 115° 45' 9.36"**  
**EBI Project No. 6114008424**

Dear Mr. Foree,

On behalf of Cellco Partnership and its controlled affiliates doing business as Verizon Wireless (*Verizon Wireless*), EBI Consulting (EBI) has prepared the following information (the *Update*) pertaining to the **Elko Fairgrounds / Ensite #22164** Natural Resource Review (the *Review*), dated January 13, 2015, for the above-referenced property (herein, the Subject Property) and sent your offices for review.

**PROJECT SUMMARY UPDATE**

As of the date of this *Review*, *Verizon Wireless* has revised the Site plans that now reflect the shelter equipment being 3 feet off the ground due to flood plain concerns. Further a portion of the access road has shifted approximately 15 feet north of the original location to enter the lease area from the middle instead of the southernmost portion. As with the original location, the area of the newly proposed installation consists of disturbed lands that support undeveloped non-native grassland and asphalt-paved parking and drives.

**PROTECTED SPECIES REVIEW UPDATE**

No proposed change

**FLOOD ZONE REVIEW UPDATE**

No proposed change

**WETLANDS REVIEW UPDATE**

No proposed change

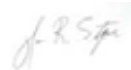
**FINDINGS AND CONCLUSIONS**

Based on the results of EBI's review of the proposed modification, it is anticipated that the proposed telecommunications facility will continue to have 'no effect' on protected species as identified in the original Natural Resource Review.

Sincerely,



Bill Arnerich  
Biologist



Jason Stayer  
Biologist

## Natural Resource Review

January 13, 2015

RE: Proposed Telecommunications Facility  
Site Identifier: Elko Fairgrounds / Ensite #22164  
Site Address: 1225 Water Street, Elko, Elko County, NV 89801  
Latitude / Longitude: 40° 50' 13.68" / 115° 45' 9.36"  
EBI Project No. 61148424

EBI Consulting (EBI) has prepared the following Natural Resource Review (the Review) for the above-referenced property (herein, the Subject Property) on behalf of Cellco Partnership and its controlled affiliates doing business as Verizon Wireless. This Review was completed as a part of EBI's National Environmental Policy Act (NEPA) review of the proposed telecommunications facility at the Subject Property, and focused identifying potential impacts to federally-protected land resources, protected species, flood zones and wetlands, which may require further environmental review per Federal Communications Commission (FCC) Rules Implementing NEPA [47 CFR 1.1307(a).]

Please note that EBI prepared this Review using only readily-available online resources and visual observations made during EBI's site walk at the Subject Property October 9, 2014. In lieu of a jurisdictional determination wetland survey, species survey, or consultation with applicable regulatory agencies, this Review is designed to provide baseline information on the Subject Property with respect to potential permitting and consultation requirements, which may arise with any future proposed land use change.

### **PROJECT SUMMARY**

As of the date of this review, *Verizon Wireless* proposes to construct a tower facility on the northern portion of the Subject Property. The tower facility will include a 100 feet aboveground level (AGL) monopole tower, equipment shelter, and a stand-alone diesel-fired generator located within a fenced compound on a 30-foot by 40-foot lease area. *Verizon Wireless* plans to improve a 15-foot wide access and utility easement commencing at the proposed compound through the existing parking lot to the east and to 13<sup>th</sup> Street. Proposed utilities will follow the proposed access and utility road to an existing electrical transformer and an existing Telco pedestal located along 13<sup>th</sup> Street. Please see the attached site drawings for complete details.

### **PROPERTY AND VICINITY DESCRIPTION**

The Subject Property totals 4.6 acres and consists of a plumbing and HVAC supply wholesale and retail store located on the eastern portion of the Subject Property. Areas of the Subject Property surrounding the existing building include the following: asphalt-paved surface parking and non-native grassland. The area of the proposed installation (herein, the Site), currently consists of undeveloped non-native grassland and asphalt paved parking and drives.

Property use in the vicinity of the Subject Property is primarily characterized by residential and retail/commercial development, as well undeveloped land.

## **FEDERAL LANDS REVIEW**

EBI reviewed available online resources to determine if the proposed telecommunications facility is located within one mile of certain federally-protected lands. The following table outlines EBI's review.

<b>FEDERALLY-PROTECTED LAND</b> Jurisdictional Agency / Resource	<i>Within Boundary / Within One Mile</i>	
	YES	NO
Wilderness Area [47 CFR §1.1307(a)(1)] National Wilderness Preservation System (NWPS) National Park Service (NPS); U.S. Forest Service (USFS); U.S. Fish and Wildlife Service (USFWS); Bureau of Land Management (BLM) <a href="http://www.wilderness.net/index.cfm?fuse=NWPS">http://www.wilderness.net/index.cfm?fuse=NWPS</a>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wildlife Preserve [47 CFR §1.1307(a)(2)] National Wildlife Refuge System (NWRS) NPS; USFS; USFWS; BLM <a href="http://www.fws.gov/refuges">http://www.fws.gov/refuges</a>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wild & Scenic Rivers NPS; USFS; USFWS; BLM <a href="http://www.rivers.gov">http://www.rivers.gov</a>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
National Scenic Trail NPS and Managing Systems and Trails Organization (MSTO) <a href="http://www.nps.gov/ncrc/programs/nts/nts_trails.html">http://www.nps.gov/ncrc/programs/nts/nts_trails.html</a>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Comments:</b> None		

Additionally, a review of federal lands mapping ([www.nationalatlas.gov](http://www.nationalatlas.gov)) and information provided by the client, the proposed telecommunications facility is not located on land currently under the jurisdiction of another federal agency.

## **PROTECTED SPECIES REVIEW**

EBI reviewed online resources maintained by the USFWS (<http://ecos.fws.gov/ipac>) to identify any federally-listed threatened and endangered species that are known to occur within the vicinity of the Site. Based on EBI's research of online files maintained by the USFWS, no non-aquatic federally-protected species are known to occur within the vicinity of the Site.

Additionally, based on a review of the USFWS online Critical Habitat Portal (<http://criticalhabitat.fws.gov>), no critical habitats were identified within the immediate proximity of the proposed Site.

EBI also requested species data maintained by the Nevada Department of Wildlife (NDOW). On December 4, 2014, the NDOW provided data encompassing a 4-mile radius (See Attached). NDOW notes that one state-protected species may potentially occur within the vicinity of the Site. However, based on the lack of suitable habitat at the Site and the NDOW response, EBI anticipates that no protected species would occur within the immediate vicinity of the Site.

EBI reviewed online resources maintained by the Nevada Natural Heritage Program (<http://heritage.nv.gov/species/>) to identify any state-listed threatened and endangered species that are known to occur within Elko County, Nevada. Based on EBI's research of online files maintained by the Nevada NHP, 8 state listed threatened and/or endangered species are known to occur within Elko County, Nevada.

Please note however, no federally-listed threatened and endangered species were identified as being potentially present within the vicinity of the proposed lease area. Further, suitable habitats capable of supporting identified state-listed threatened and endangered species were not noted at the proposed Site. As such, the proposed installation is anticipated to have 'No Effect' on listed species and per the guidelines set forth in Section 7 of the Endangered Species Act (<http://www.fws.gov/endangered/what-we-do/faq.html>) no further consultation with the USFWS is required.

### Additional Considerations

Verizon Wireless should take into consideration potential impacts to migratory bird species protected under the MBTA and the Endangered Species Act during development and operation of the proposed telecommunications facility. On September 14, 2000, the USFWS established the *Service Interim Guidelines for Recommendations on Communications Tower Siting, Construction, Operation, and Decommissioning* (Interim Guidelines). The USFWS Interim Guidelines are considered voluntary federal recommendations; however, EBI recommends that Verizon Wireless review the USFWS Interim Guidelines ([http://www.fws.gov/habitatconservation/com\\_tow\\_guidelines.pdf](http://www.fws.gov/habitatconservation/com_tow_guidelines.pdf)) in their entirety in order to avoid potential adverse impacts to migratory birds.

The proposed tower will consist of three 100-foot self-supported monopole tower with anticipated lighting application of medium intensity dual red/white strobes. As such, it meets most of the USFWS's tower siting and design recommendations, with the exception of the use of tower lighting. The proposed lighting to be installed is currently required under Federal Aviation Administration (FAA) regulations.

### FLOOD ZONE REVIEW

Based on EBI's review of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map website ([www.fema.gov](http://www.fema.gov), Map Number 32007C5609E, dated September 4, 2013) the proposed Site is located within an area identified as Zone AH, and therefore is within a 100-year floodplain. **Note the proposed Project will require a Flood Zone EA to determine any potential negative affects to this area.**

### WETLANDS REVIEW

EBI reviewed the USFWS National Wetlands Inventory (NWI) map depicting the proposed Site and its immediate vicinity (see attached). The NWI map depicts a designated Freshwater Emergent wetland to the east of the Site. However, EBI did not observe any readily identifiable wetlands or wetland characteristics (e.g. standing water, hydrophytic vegetation, soil saturation and inundation, drainage patterns and sediment deposition, watermarks and drift lines on trees and vegetation, or water stained leaves) at the Site or within its immediate proximity.

EBI also reviewed the United States Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS) for the Site and immediate vicinity. According to EBI's review, soils at the Site consist of Moranch-Ocala-Orovada association. Moranch, 0 to 2 percent slopes is a well drained soil that supports a water table greater than 80 inches with a restrictive layer greater than 80 inches. Ocala, 0 to 2 percent slopes is a somewhat poorly drained soil with a depth to restrictive layer of greater than 80 inches and a water table of approximately 36 to 42 inches. Orovada, 2 to 4 percent slopes is a well drained soil that supports a water table greater than 80 inches with a restrictive layer greater than 80 inches. Moranch-Ocala-Orovada association is not listed as hydric by the NRCS (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/use/hydric/>).

### FINDINGS AND CONCLUSIONS

Based on the results of EBI's review as summarized herein, the proposed telecommunications facility is anticipated to have 'no effect' on protected species.

Further, the proposed telecommunications facility is (i) not located within the boundaries of (i.e. wildlife preserves, wilderness areas, etc.); (ii) not anticipated to result in a significant change to surface features (e.g. wetlands fill). As such, EBI recommends no further review with regard to these natural resources.

**Note the proposed Project will require a Flood Zone EA to determine any potential negative affects to this area.**

EBI is an independent contractor, not an employee of either the property owner or the project proponent, and its compensation was not based on the findings or recommendations made in this Review or on the closing of any business transaction.

Sincerely,



Mr. Bill Arnerich



Mr. Jason Stayer

Biologist

Biologist

Attachments:      Figures & Drawings  
                         Photographs  
                         Species Review Documentation  
                         Supporting Documentation  
                         Qualifications



U.S. Fish and Wildlife Service

## Trust Resources List

**This resource list is to be used for planning purposes only — it is not an official species list.**

**Endangered Species Act species list information for your project is available online and listed below for the following FWS Field Offices:**

**Nevada Fish and Wildlife Office**  
1340 FINANCIAL BOULEVARD, SUITE 234  
RENO, NV 89502  
(775) 861-6300  
<http://www.fws.gov/nevada/>

***Project Name:***

Elko Fairgrounds / Ensite #22164





U.S. Fish and Wildlife Service

## Trust Resources List

### *Project Location Map:*



### *Project Counties:*

Elko, NV

### *Geographic coordinates (Open Geospatial Consortium Well-Known Text, NAD83):*

MULTIPOLYGON (((-115.752693 40.8371071, -115.7526061 40.8371809, -115.7525077 40.8371175, -115.7525396 40.8370891, -115.7524594 40.8370282, -115.7525628 40.8369382, -115.7527709 40.8370472, -115.7528833 40.83698, -115.7529049 40.8369964, -115.7527711 40.8370815, -115.7525557 40.8369714, -115.7524998 40.8370165, -115.7525704 40.8370679, -115.752604 40.8370404, -115.752693 40.8371071))))

### *Project Type:*

Communications Tower





## Trust Resources List

### ***Endangered Species Act Species List ([USFWS Endangered Species Program](#))***

There are a total of 4 threatened, endangered, or candidate species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fishes may appear on the species list because a project could cause downstream effects on the species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section below for critical habitat that lies within your project area. Please contact the designated FWS office if you have questions.

#### **Species that should be considered in an effects analysis for your project:**

Amphibians	Status		Has Critical Habitat	Contact
Columbia Spotted frog ( <i>Rana luteiventris</i> ) Population: Great Basin DPS	Candidate	<a href="#">species info</a>		Nevada Fish And Wildlife Office
Birds				
Greater sage-grouse ( <i>Centrocercus urophasianus</i> ) Population: entire	Candidate	<a href="#">species info</a>		Nevada Fish And Wildlife Office
Conifers and Cycads				
Whitebark pine ( <i>Pinus albicaulis</i> )	Candidate	<a href="#">species info</a>		Nevada Fish And Wildlife Office
Fishes				
Lahontan cutthroat trout ( <i>Oncorhynchus clarkii henshawi</i> ) Population: Entire	Threatened	<a href="#">species info</a>		Nevada Fish And Wildlife Office

#### **Critical habitats within your project area:**

*There are no critical habitats within your project area.*

### ***FWS National Wildlife Refuges ([USFWS National Wildlife Refuges Program](#))***

*There are no refuges found within the vicinity of your project.*



## Trust Resources List

### ***FWS Migratory Birds ([USFWS Migratory Bird Program](#)).***

The protection of birds is regulated by the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA). Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. For more information regarding these Acts see: <http://www.fws.gov/migratorybirds/RegulationsandPolicies.html>.

All project proponents are responsible for complying with the appropriate regulations protecting birds when planning and developing a project. To meet these conservation obligations, proponents should identify potential or existing project-related impacts to migratory birds and their habitat and develop and implement conservation measures that avoid, minimize, or compensate for these impacts. The Service's Birds of Conservation Concern (2008) report identifies species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become listed under the Endangered Species Act as amended (16 U.S.C 1531 et seq.).

For information about Birds of Conservation Concern, go to:

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Management/BCC.html>.

To search and view summaries of year-round bird occurrence data within your project area, go to the Avian Knowledge Network Histogram Tool links in the Bird Conservation Tools section at: <http://www.fws.gov/migratorybirds/CCMB2.htm>.

For information about conservation measures that help avoid or minimize impacts to birds, please visit:

<http://www.fws.gov/migratorybirds/CCMB2.htm>.

### **Migratory birds of concern that may be affected by your project:**

There are **19** birds on your Migratory birds of concern list. The underlying data layers used to generate the migratory bird list of concern will continue to be updated regularly as new and better information is obtained. User feedback is one method of identifying any needed improvements. Therefore, users are encouraged to submit comments about any questions regarding species ranges (e.g., a bird on the USFWS BCC list you know does not occur in the specified location appears on the list, or a BCC species that you know does occur there is not appearing on the list). Comments should be sent to [the ECOS Help Desk](#).

Species Name	Bird of Conservation Concern (BCC)	Species Profile	Seasonal Occurrence in Project Area
Bald eagle ( <i>Haliaeetus leucocephalus</i> )	Yes	<a href="#">species info</a>	Wintering



## Trust Resources List

Black Rosy-Finch ( <i>Leucosticte atrata</i> )	Yes	<a href="#">species info</a>	Year-round
Brewer's Sparrow ( <i>Spizella breweri</i> )	Yes	<a href="#">species info</a>	Breeding
Burrowing Owl ( <i>Athene cunicularia</i> )	Yes	<a href="#">species info</a>	Breeding
Calliope Hummingbird ( <i>Stellula calliope</i> )	Yes	<a href="#">species info</a>	Breeding
Cassin's Finch ( <i>Carpodacus cassinii</i> )	Yes	<a href="#">species info</a>	Year-round
Eared Grebe ( <i>Podiceps nigricollis</i> )	Yes	<a href="#">species info</a>	Breeding
Fox Sparrow ( <i>Passerella iliaca</i> )	Yes	<a href="#">species info</a>	Breeding
Greater sage-grouse ( <i>Centrocercus urophasianus</i> )	Yes	<a href="#">species info</a>	Year-round
Green-tailed Towhee ( <i>Pipilo chlorurus</i> )	Yes	<a href="#">species info</a>	Breeding
Lewis's Woodpecker ( <i>Melanerpes lewis</i> )	Yes	<a href="#">species info</a>	Breeding
Loggerhead Shrike ( <i>Lanius ludovicianus</i> )	Yes	<a href="#">species info</a>	Year-round
Long-Billed curlew ( <i>Numenius americanus</i> )	Yes	<a href="#">species info</a>	Breeding
Olive-Sided flycatcher ( <i>Contopus cooperi</i> )	Yes	<a href="#">species info</a>	Breeding
Pinyon Jay ( <i>Gymnorhinus cyanocephalus</i> )	Yes	<a href="#">species info</a>	Year-round
Sage Thrasher ( <i>Oreoscoptes montanus</i> )	Yes	<a href="#">species info</a>	Breeding
Short-eared Owl ( <i>Asio flammeus</i> )	Yes	<a href="#">species info</a>	Year-round
Swainson's hawk ( <i>Buteo swainsoni</i> )	Yes	<a href="#">species info</a>	Breeding
Williamson's Sapsucker ( <i>Sphyrapicus thyroideus</i> )	Yes	<a href="#">species info</a>	Breeding



## Trust Resources List

### ***NWI Wetlands ([USFWS National Wetlands Inventory](#)).***

The U.S. Fish and Wildlife Service is the principal Federal agency that provides information on the extent and status of wetlands in the U.S., via the National Wetlands Inventory Program (NWI). In addition to impacts to wetlands within your immediate project area, wetlands outside of your project area may need to be considered in any evaluation of project impacts, due to the hydrologic nature of wetlands (for example, project activities may affect local hydrology within, and outside of, your immediate project area). It may be helpful to refer to the USFWS National Wetland Inventory website. The designated FWS office can also assist you. Impacts to wetlands and other aquatic habitats from your project may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes. Project Proponents should discuss the relationship of these requirements to their project with the Regulatory Program of the appropriate [U.S. Army Corps of Engineers District](#).

#### **Data Limitations, Exclusions and Precautions**

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery and/or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

**Exclusions** - Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

**Precautions** - Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local



U.S. Fish and Wildlife Service

## Trust Resources List

government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

*IPaC is unable to display wetland information at this time.*



# Elko Fairgrounds / Ensite #22164

USFWS Critical Habitat



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**From:** [Werdon, Selena](#)  
**To:** [Tony Maguire](#)  
**Cc:** [Ted Koch](#)  
**Subject:** Re: Telecommunication Site No Affect consultation requirements  
**Date:** Wednesday, April 03, 2013 2:54:48 PM

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Hi Tony -

Thanks for calling this morning.

The U.S. Fish and Wildlife Service (Service) does not require that Federal action agencies or their designated non-Federal representatives obtain Service review and/or concurrence with 'no effect' determinations. If circumstances regarding the presence of listed/proposed species, designated/proposed critical habitat, and/or the proposed action and its affects change from when the 'no effect' determination is made (either before or during project implementation), it is advisable to revisit the need for consultation as soon as possible. The Service can provide technical assistance on an appropriate course of action in such an event.

Note that even requests for informal or formal section 7 consultation with the Service under the Endangered Species Act (ESA) are at the discretion of the Federal action agency. However, in instances where the action agency elects not to consult and a proposed action results in take of a listed species, they have liability under section 9 of the ESA.

I'm pleased to hear from you that our new IPaC system has been helpful in independently obtaining listed species information. Our goal in launching IPaC for the Nevada Fish and Wildlife Office is to expedite the transfer of accurate species information to agencies, agency representatives, and applicants/project proponents.

With regards,  
Selena

Selena J. Werdon  
Assistant Field Supervisor  
Nevada Fish and Wildlife Office  
1340 Financial Blvd., Suite 234  
Reno, NV 89502  
775-861-6300

On Wed, Apr 3, 2013 at 10:04 AM, Tony Maguire <[tmaguire@ebiconsulting.com](mailto:tmaguire@ebiconsulting.com)> wrote:

Hi Selena, thanks again for returning my call this morning. As discussed, I am requesting confirmation that your office does not need, nor require, the review of "no effect" projects. As I understand it, should project conditions change to the extent that a no effect determination may become null/void, the client should review species affects and contact your office if the project may affect T&E species.



Thanks again,

Tony

**Anthony J. Maguire, PWS**

Wetland Biologist

P: 650 833-9592

2030 Cordilleras Rd, Emerald Hills CA 94062

[tmaguire@ebiconsulting.com](mailto:tmaguire@ebiconsulting.com)

Visit our new website: [www.ebiconsulting.com](http://www.ebiconsulting.com)



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BRIAN SANDOVAL  
*Governor*

STATE OF NEVADA  
**DEPARTMENT OF WILDLIFE**

1100 Valley Road  
Reno, Nevada 89512  
(775) 688-1500 • Fax (775) 688-1595

TONY WASLEY  
*Director*

RICHARD L. HASKINS, II  
*Deputy Director*

PATRICK O. CATES  
*Deputy Director*

Bill Arnerich  
Biologist  
EBI Consulting  
11445 East Via Linda, Suite 2 #472  
Scottsdale, Arizona 85259

January 12, 2015

Re: Elko Fairgrounds

Dear Mr. Arnerich:

I am responding to your request for information from the Nevada Department of Wildlife (NDOW) on the known or potential occurrence of wildlife resources in the vicinity of the Elko Fairgrounds located in Elko County, Nevada. In order to fulfill your request an analysis was performed using the best available data from the NDOW's wildlife occurrences, raptor nest sites and ranges, greater sage-grouse leks and habitat, and big game distributions databases. No warranty is made by the NDOW as to the accuracy, reliability, or completeness of the data for individual use or aggregate use with other data. These data should be considered **sensitive** and may contain information regarding the location of sensitive wildlife species or resources. All appropriate measures should be taken to ensure that the use of this data is strictly limited to serve the needs of the project described on your GIS Data Request Form. Abuse of this information has the potential to adversely affect the existing ecological status of Nevada's wildlife resources and could be cause for the denial of future data requests.

To adequately provide wildlife resource information in the vicinity of the proposed project the NDOW delineated an area of interest that included a four-mile buffer around the project area provided by you (email, January 08, 2015). Wildlife resource data was queried from the NDOW databases based on this area of interest. The results of this analysis are summarized below.

**Big Game** – Occupied mule deer distribution exists throughout the entire project area and four-mile buffer area. Occupied elk and pronghorn antelope distributions exist outside of the project area within portions of the four-mile buffer area. No known occupied bighorn sheep distribution exists in the vicinity of the project area. Please refer to the attached maps for details regarding big game distributions relative to the proposed project area.

**Greater Sage-Grouse** – Greater sage-grouse habitat in the vicinity of the project area has primarily been classified as Priority habitat by the Nevada Sagebrush Ecosystem Program (<http://sagebrusheco.nv.gov>). General habitat also exists in the vicinity of the project area. Please refer to the attached maps for details regarding greater sage-grouse habitat relative to the proposed project area. There are no known radio-marked greater sage-grouse tracking locations in the vicinity of the project area. There are no known greater sage-grouse lek sites in the vicinity of the project area.

**Raptors** – Various species of raptors, which use diverse habitat types, may reside in the vicinity of the project area. American kestrel, bald eagle, barn owl, burrowing owl, Cooper's hawk, ferruginous hawk, golden eagle, great horned owl, long-eared owl, merlin, northern goshawk, northern harrier, northern saw-whet owl, osprey, peregrine falcon, red-tailed hawk, rough-legged hawk, sharp-shinned hawk, short-eared owl, Swainson's hawk, turkey vulture, and western screech owl have distribution ranges that include the project area and four-mile buffer area. Furthermore, the following raptor species have been directly observed in the vicinity of the project area:

American kestrel	long-eared owl	red-tailed hawk
barn owl	merlin	rough-legged hawk
ferruginous hawk	northern saw-whet owl	sharp-shinned hawk
golden eagle	osprey	turkey vulture
great horned owl	prairie falcon	

Raptor species are protected by State and Federal laws. In addition, bald eagle, burrowing owl, California spotted owl, ferruginous hawk, flammulated owl, golden eagle, northern goshawk, peregrine falcon, prairie falcon, and short-eared owl are NDOW species of special concern and are target species for conservation as outlined by the Nevada Wildlife Action Plan. Per the *Interim Golden Eagle Technical Guidance: Inventory and Monitoring Protocols; and Other Recommendations in Support of Golden Eagle Management and Permit Issuance* (United States Fish and Wildlife Service 2010) we have queried our raptor nest database to include raptor nest sites within ten miles of the proposed project area. There are 61 known raptor nest sites within ten miles of the project area. Please refer to the appendix for details regarding these raptor nest sites.

### Other Wildlife Resources

The following species have also been observed in the vicinity of the project area:

Common Name	ESA	State	SWAP SoCP
American redstart			
American robin			
Arizona Bell's vireo			Yes
big brown bat			
bluegill			
boat-tailed grackle			
bobcat			
bobolink			Yes
Bohemian waxwing			
Brazilian (Mexican) free-tailed bat		Protected	Yes
buteo (unknown)			
California quail			
cedar waxwing			
chukar			
common muskrat			
common nighthawk			Yes
cottontail (unknown)			
coyote			
downy woodpecker			
Franklin's gull			
gray partridge			
great-tailed grackle			
green-winged teal			
mountain sucker			
northern shrike			
redside shiner			
ring-necked pheasant			
ruffed grouse			

silver-haired bat	Yes
Steller's jay	
striped skunk	
Tahoe sucker	
terrestrial gartersnake	
varied thrush	
warbling vireo	
western fence lizard	
western gull	
western pipistrelle	
western small-footed myotis	Yes
white-winged dove	
willet	

ESA: Endangered Species Act Status

State: State of Nevada Special Status

SWAP SoCP: Nevada State Wildlife Action Plan (2012) Species of Conservation Priority

The proposed project area may also be in the vicinity of abandoned mine workings, which may provide habitat for many sensitive wildlife species, especially bat species. To request data regarding known abandoned mine workings in the vicinity of the project area please contact the Nevada Division of Minerals (<http://minerals.state.nv.us/>).

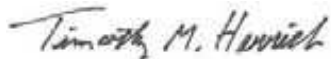
The above information is based on data stored at our Reno Headquarters Office, and does not necessarily incorporate the most up to date wildlife resource information collected in the field. Please contact the Habitat Division Supervising Biologist at our Eastern Region Elko Office (775.777.2300) to discuss the current environmental conditions for your project area and the interpretation of our analysis. Furthermore, it should be noted that the information detailed above is preliminary in nature and not necessarily an identification of every wildlife resource concern associated with the proposed project. Consultation with the Supervising Habitat biologist will facilitate the development of appropriate survey protocols and avoidance or mitigation measures that may be required to address potential impacts to wildlife resources.

Steve Foree - Eastern Region Supervising Habitat Biologist (775.777.2306)

Federally listed Threatened and Endangered species are also under the jurisdiction of the United States Fish and Wildlife Service. Please contact them for more information regarding these species.

If you have any questions regarding the results or methodology of this analysis please do not hesitate to contact our GIS office at (775) 688-1439.

Sincerely,

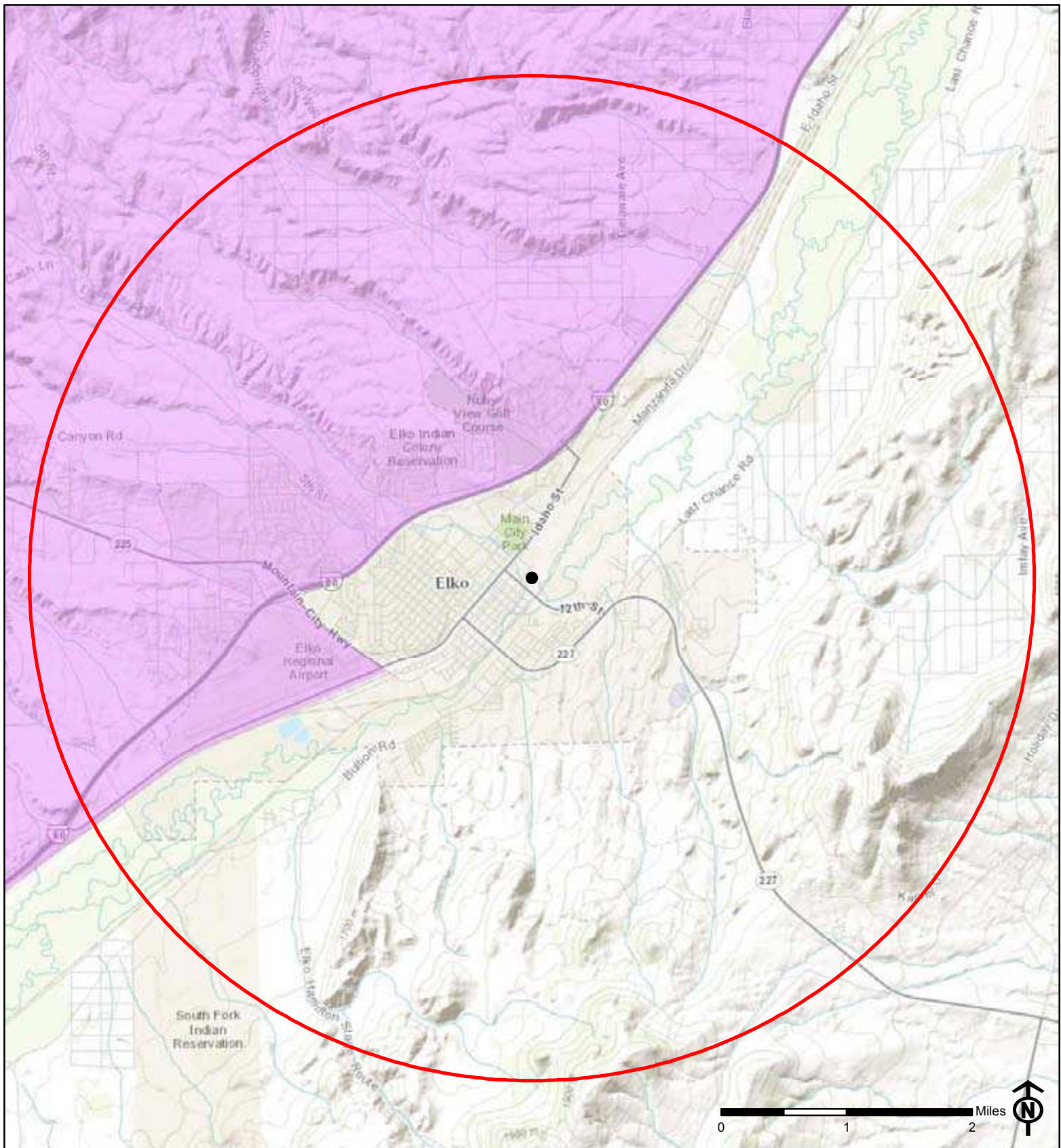


Timothy M. Herrick  
Biologist

## Appendix: Raptor Nest Sites Table

Probable Use	Last Check	Last Active	Township/Range/Section
Burrowing Owl	7/10/2006	7/10/2006	21 0350N 0550E 035
Burrowing Owl	6/10/2008	6/10/2008	21 0330N 0560E 015
Buteo	6/10/1975	6/10/1975	21 0330N 0540E 024
Buteo	6/7/1982	6/7/1982	21 0350N 0560E 016
Buteo	1/1/1983	1/1/1983	21 0350N 0560E 017
Buteo	5/23/2001	5/23/2001	21 0330N 0550E 019
Buteo	5/29/2007	5/29/2007	21 0330N 0540E 025
Buteo	6/2/2011	6/2/2011	21 0350N 0540E 015
Buteo	6/2/2011	6/2/2011	21 0350N 0540E 027
Corvid	6/14/1975	6/14/1975	21 0350N 0550E 014
Corvid	6/22/1976	6/22/1976	21 0330N 0540E 024
Corvid	5/8/2014	5/8/2014	
Eagle	1/1/1972	1/1/1972	21 0330N 0550E 004
Eagle	3/21/1972	3/21/1972	21 0360N 0550E 026
Eagle	4/16/1972	4/16/1972	21 0350N 0560E 012
Eagle	4/25/1972	4/25/1972	21 0350N 0560E 036
Eagle	5/5/1972		21 0350N 0540E 031
Eagle	4/16/1973		21 0330N 0550E 003
Eagle	4/16/1973		21 0330N 0550E 004
Eagle	1/1/1974	1/1/1974	21 0350N 0540E 014
Eagle	4/13/1982		21 0330N 0550E 019
Eagle	5/23/2001	5/23/2001	21 0330N 0540E 014
Eagle	5/23/2001		21 0330N 0550E 019
Eagle	5/29/2007		21 0330N 0540E 024
Eagle	5/29/2007		21 0330N 0540E 024
Eagle	6/3/2011	6/3/2011	21 0330N 0540E 013
Eagle	6/3/2011		21 0330N 0540E 014
Eagle	6/3/2011		21 0330N 0540E 024
Eagle	6/3/2011		21 0330N 0540E 024
Eagle	6/3/2011		21 0330N 0550E 019
Eagle	5/16/2012		21 0350N 0560E 012
Eagle	5/22/2013	5/22/2013	21 0350N 0550E 017
Eagle	5/22/2013	5/22/2013	21 0360N 0550E 026
Eagle	5/22/2013		21 0360N 0550E 026
Eagle/Buteo	5/16/2012		21 0350N 0560E 012
Eagle/Buteo	5/16/2012		21 0350N 0560E 012
Eagle/Buteo	5/22/2013		21 0350N 0550E 017
Eagle/Buteo	5/22/2013		21 0350N 0550E 017
Falcon - Confirmed	6/22/1976	6/22/1976	21 0330N 0540E 024
Falcon - Confirmed	5/23/2001	5/23/2001	21 0330N 0550E 019
Falcon - Confirmed	5/29/2007	5/29/2007	21 0330N 0540E 024
Falcon - Confirmed	6/3/2011	6/3/2011	21 0330N 0540E 024
Falcon - Probable	5/22/1975	5/22/1975	21 0330N 0540E 013
Falcon - Probable	5/23/1975	5/23/1975	21 0350N 0560E 012

Falcon - Probable	6/10/1975	6/10/1975	21 0330N 0540E 022
Falcon - Probable	6/18/1975	6/18/1975	21 0330N 0540E 024
Falcon - Probable	1/1/1976	1/1/1976	21 0330N 0540E 024
Falcon - Probable	1/1/1976		21 0330N 0540E 014
Falcon - Probable	1/1/1976		21 0330N 0540E 014
Falcon - Probable	4/13/1982		21 0330N 0550E 016
Falcon - Probable	5/22/2001	5/22/2001	21 0350N 0560E 012
Falcon - Probable	5/23/2001		21 0330N 0540E 013
Falcon - Probable	5/23/2001		21 0330N 0540E 013
Falcon - Probable	5/23/2001		21 0330N 0540E 014
Falcon - Probable	5/29/2007	5/29/2007	21 0330N 0540E 014
Falcon - Probable	5/29/2007	5/29/2007	21 0330N 0540E 024
Ferruginous Hawk	4/17/1974		21 0350N 0550E 026
Ferruginous Hawk	4/20/2005		21 0330N 0550E 027
Northern Goshawk	8/3/2010	8/3/2010	21 0350N 0550E 036
Owl	3/12/2001	3/12/2001	21 0340N 0550E 011
Turkey Vulture	7/15/1996	7/15/1996	



- Project Area
- Four Mile Buffer Area Boundary
- Elk Distribution



## Elko Fairgrounds Elk Distribution



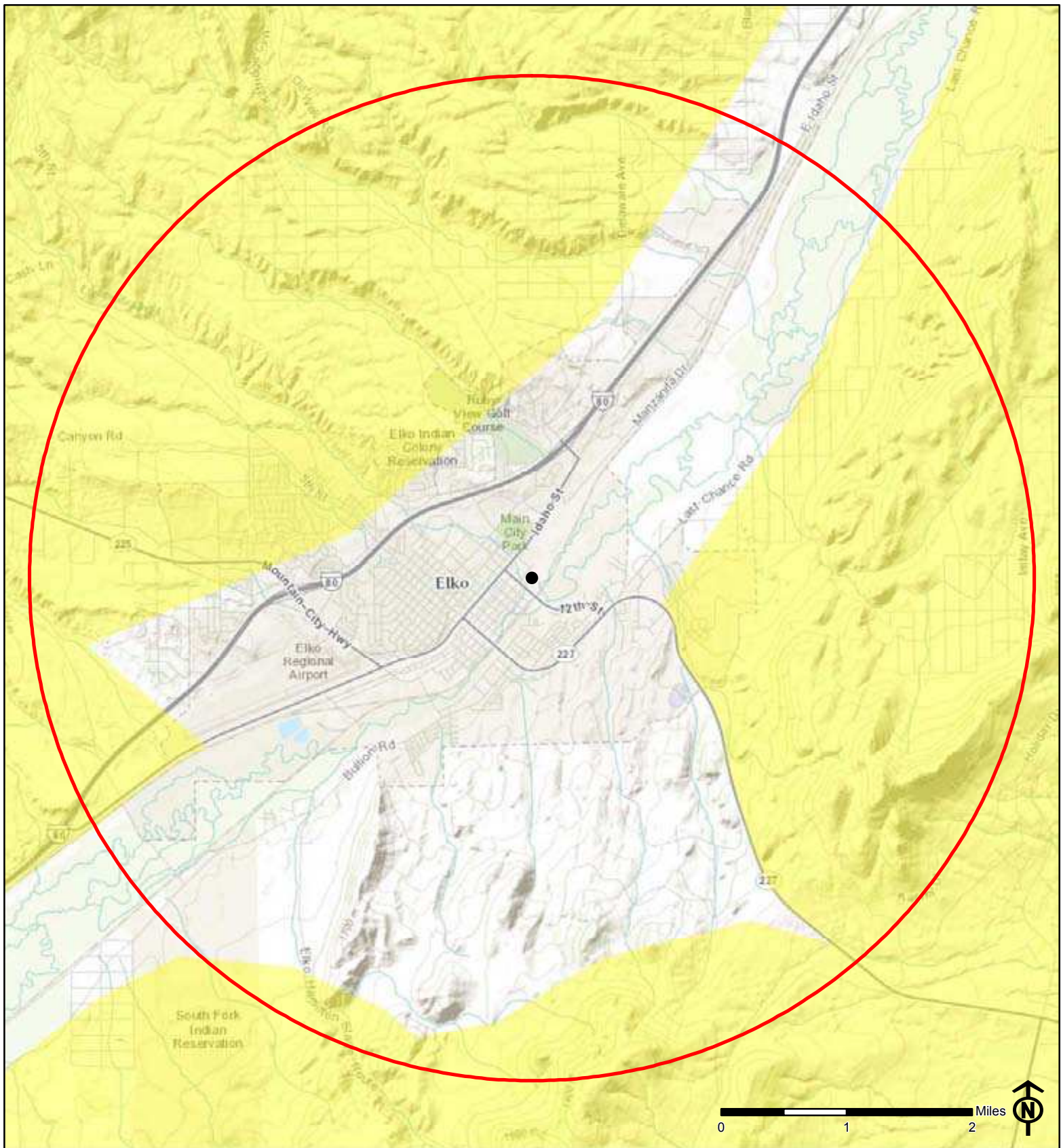
January 12, 2015

Projection: UTM Zone 11 North, NAD83

No warranty is made by the Nevada Department of Wildlife as to the accuracy, reliability, or completeness of the data for individual use or aggregate use with other data.







- Project Area
- Four Mile Buffer Area Boundary
- Pronghorn Antelope Distribution



## Elko Fairgrounds Pronghorn Antelope Distribution



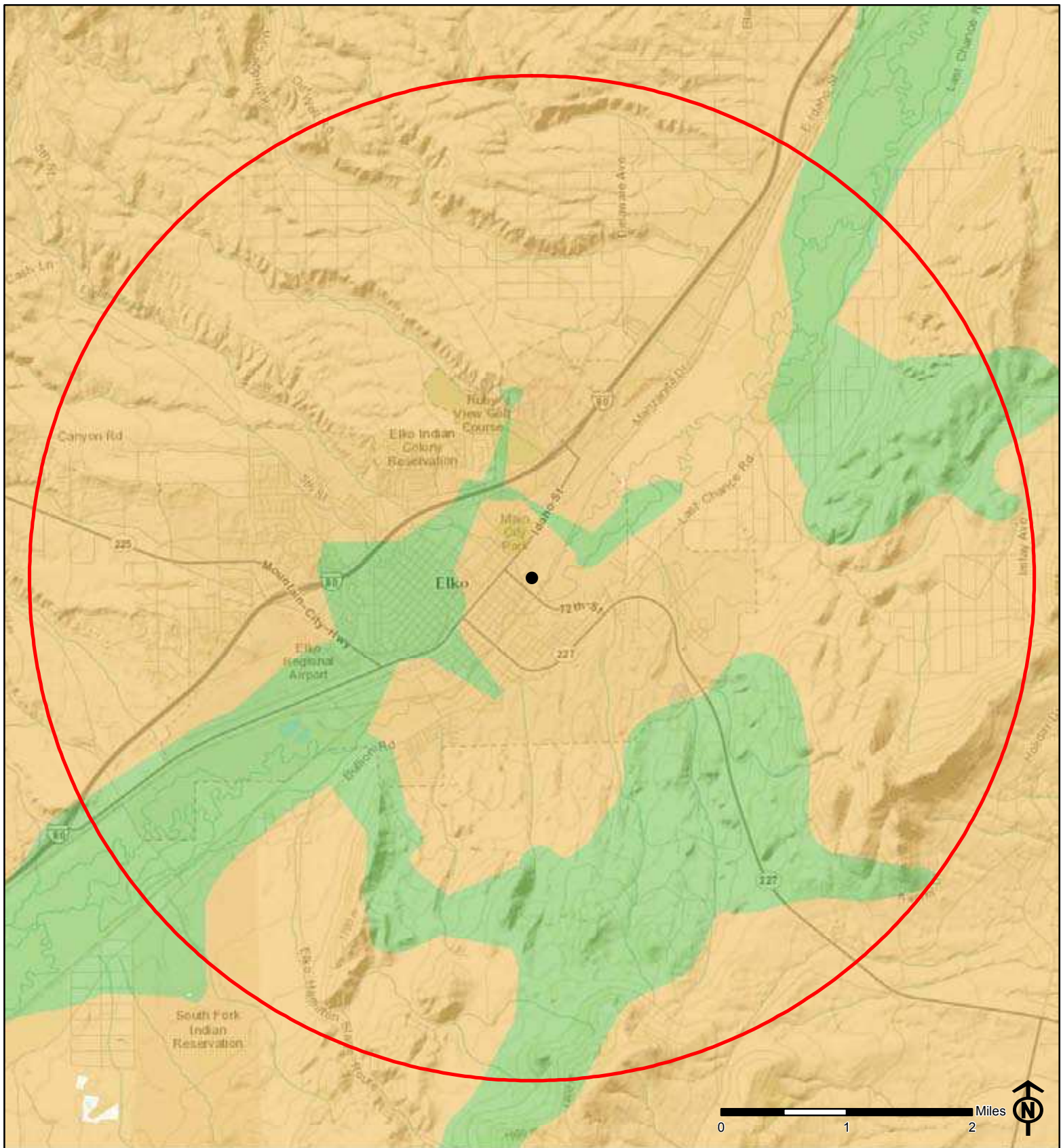
January 12, 2015

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● Project Area

□ Four Mile Buffer Area Boundary

### Management

■ Core Habitat

■ Priority Habitat

■ General Habitat



## Elko Fairgrounds Greater Sage-Grouse Habitat



January 12, 2015

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Department of Conservation and Natural Resources

# Nevada Natural Heritage Program

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AB	Northern Goshawk	Accipiter gentilis	G5	S2
AB	Western Yellow-billed Cuckoo	Coccyzus americanus occidentalis	G5T3Q	S1B
AB	Peregrine Falcon	Falco peregrinus	G4	S2
AB	Bald Eagle (Contiguous US Pop)	Haliaeetus leucocephalus	G5	S1B,S3N
AB	Loggerhead Shrike	Lanius ludovicianus	G4	S4
AB	Sage Thrasher	Oreoscoptes montanus	G5	S5B
AB	Brewer's Sparrow	Spizella breweri	G5	S4B
AF	relict dace	Relictus solitarius	G2G3	S2S3
AF	Independence Valley speckled dace	Rhinichthys osculus lethoporus	G5T1	S1
AF	Clover Valley speckled dace	Rhinichthys osculus oligoporus	G5T1	S1
AF	Independence Valley tui chub	Siphateles bicolor isolata	G4T1Q	S1
AM	Townsend's big-eared bat	Corynorhinus townsendii	G3G4	S2
AM	spotted bat	Euderma maculatum	G4	S2
PD	Osgood Mountains milkvetch	Astragalus yoder-williamsii	G3	S1
PD	Sulphur Springs buckwheat	Eriogonum argophyllum	G1	S1

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