

## **APPENDIX A USFWS LETTER**

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NEVADA STATE OFFICE  
RENO, NEVADA

# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Nevada Fish and Wildlife Office

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May 12, 2006

File No. 1-5-06-SP-500

### Memorandum

**To:** Project Manager, Nevada Groundwater Projects, Nevada State Office,  
Bureau of Land Management, Reno, Nevada

**From:** Field Supervisor, Nevada Fish and Wildlife Office, Reno, Nevada

**Subject:** Species List for the Proposed Lincoln County Land Act Groundwater  
Development and Utility Right-of-Way Project, Lincoln County, Nevada

This responds to your letter received on April 10, 2006, requesting a species list for the Lincoln County Land Act (LCLA) Groundwater Development and Utility Right-of-Way Project in Lincoln County, Nevada. The proposed project would require a right-of-way grant authorized by the Bureau of Land Management (BLM) for the construction and operation of a groundwater development and delivery system, including the installation of approximately eight production wells located in the Tule Desert hydrographic basin; up to ten production wells located in the Clover Valley hydrographic basin; a system of pipelines that would transport water to the LCLA development area; associated ancillary facilities to provide power and communication for the project facilities; and a natural gas pipeline that would parallel the water pipeline from the existing Kern River Natural Gas pipeline south to the LCLA development area. The following federally listed species may occur in or near the vicinity of the subject project area:

- Southwestern willow flycatcher (*Empidonax traillii extimus*), endangered
- Designated critical habitat for the southwestern willow flycatcher
- Virgin River chub (*Gila seminuda*), endangered
- Designated critical habitat for the Virgin River chub
- Desert tortoise (*Gopherus agassizii*) (Mojave population), threatened
- Designated critical habitat for the desert tortoise
- Big Spring spinedace (*Lepidomeda mollispinis pratensis*), threatened

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- Woundfin (*Plagopterus argentissimus*), endangered
- Designated critical habitat for the woundfin
- Ute ladies'-tresses (*Spiranthes diluvialis*), threatened
- Yuma clapper rail (*Rallus longirostris yumanensis*), endangered
- Yellow-billed cuckoo (*Coccyzus americanus*) (Western Distinct Population Segment), candidate

This list fulfills the requirement of the Fish and Wildlife Service (Service) to provide information on listed species pursuant to section 7(c) of the Endangered Species Act of 1973, as amended (Act), for projects that are authorized, funded, or carried out by a Federal agency. If it is determined by BLM that a listed species may be affected by the proposed project, then formal consultation should be initiated pursuant to 50 CFR § 402.14. The written request for formal consultation is typically submitted once a Biological Assessment has been prepared for the project. Formal consultation is initiated by the Service on the date the written request and Biological Assessment is received, if the Service determines the information received is sufficient. Informal consultation may be utilized prior to a written request for formal consultation to exchange information and resolve conflicts with respect to listed species. Please note that candidate species receive no legal protection under the Act, but could be proposed for listing in the near future. Consideration of these species during project planning may assist species conservation efforts and may prevent the need for future listing actions.

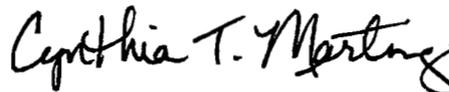
The Nevada Fish and Wildlife Office no longer provides species of concern lists. Most of these species for which we have concern, are also on the sensitive species list for Nevada maintained by the State of Nevada's Natural Heritage Program (Heritage). Instead of maintaining our own list, we have adopted Heritage's sensitive species list and partnered with them to provide distribution data and information on the conservation needs for sensitive species to agencies or project proponents. The mission of Heritage is to continually evaluate the conservation priorities of native plants, animals, and their habitats, particularly those most vulnerable to extinction or is in serious decline. Consideration of these sensitive species and exploring management alternatives early in the planning process can provide long-term conservation benefits and avoid future conflicts.

For a list of sensitive species by county, visit Heritage's website at [www.heritage.nv.gov](http://www.heritage.nv.gov). For a specific list of sensitive species that may occur in the project area, you can obtain a data request form from the website or by contacting Heritage at 901 South Stewart Street, Suite 5002, Carson City, Nevada, 89701-5245, 775-684-2900. Please indicate on the form that your request is being obtained as part of your coordination with the Service under the Act. During your project analysis, if you obtain new information or data for any Nevada sensitive species, we request that you provide the information to Heritage at the above address. Furthermore, certain species of fish and wildlife are classified as protected by the State of Nevada (<http://www.leg.state.nv.us/NAC/NAC-503.html>). Before a person can hunt, take, or possess any parts of wildlife species classified as protected, they must first obtain the appropriate license, permit, or written authorization from the Nevada Department of Wildlife (<http://www.ndow.org>; 702-486-5127).

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Please reference File No. 1-5-06-SP-500 in future correspondence concerning this species list. We will be providing scoping comments in the near future that will outline in more detail our concerns regarding the project and the potential affect to species and their habitat. In the meantime, if you have any questions regarding this correspondence or require additional information, please contact Jeri Krueger in our Southern Nevada Field Office at (702) 515-5230.



*for* Robert D. Williams