



Appendix D

Threatened and Endangered Species Correspondence



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
Nebraska Field Office
203 West Second Street
Grand Island, Nebraska 68801

March 26, 1998

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MAR 27 1998
OLSSON ASSOCIATES

Dr. Jeffrey S. Johnson
1111 Lincoln Mall
Lincoln, NE 68508

Dear Dr. Johnson:

This is in response to your March 23, 1998, letter requesting comments from the U.S. Fish and Wildlife Service (Service) regarding the Draft Single Package alternative for the Antelope Valley Major Investment Study, City of Lincoln, Lancaster County, Nebraska.

In accordance with Section 7(c) of the Endangered Species Act of 1973, we have determined that the following federally listed threatened and endangered species may occur within or in the vicinity of the project area:

<u>Listed Species</u>	<u>Expected Occurrence</u>
Bald eagle (<u>Haliaeetus leucocephalus</u>)	Migration, winter resident
Peregrine falcon (<u>Falco peregrinus</u>)	Migration, summer resident

Critical Habitat

None

Bald eagles utilize mature riparian timber near streams and lakes. Migrant and wintering eagles have been observed at the Salt Valley Lakes, such as Capital Beach. Peregrine falcons generally are associated with wetlands and open areas such as cropland and grassland. Most observations in Nebraska are in January, late April to early May, and September. Peregrines have been observed at the State Capitol building, and it is possible that the birds will eventually nest on the building.

The Service is concerned about any flow depletions to the lower Platte River, which may result from the proposed project. If the project will affect Platte River flows (e.g., temporary and/or permanent storage), the effects of the project on the endangered least tern (Sterna antillarum) and threatened piping plover (Charadrius melodus), which nest on the lower Platte River, should be considered. In addition, the effects of the project on

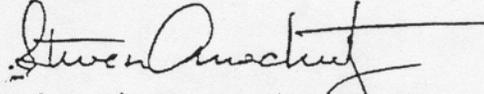
the endangered pallid sturgeon (Scaphirhynchus albus), and a candidate fish species, the sturgeon chub (Macrhybopsis gelida), both of which occur in the lower Platte River, should be considered.

If the federal action agency determines that the project may affect listed species, or critical habitat, formal Section 7 consultation should be requested from this office. If they determine that there will be no effect, further consultation is unnecessary.

A species of concern, the Salt Creek tiger beetle (Cincindela nevadica lincolniana), is endemic to wet areas within the Salt Creek Basin in Lancaster County. According to historical and recent survey records, the tiger beetle does not occur in Antelope Creek, or the portion of Salt Creek located within the study area. The species is found at Capital Beach. The extent of surveys within Antelope Creek is unknown, and it may be appropriate to conduct a survey within the project area.

Should you have any further questions, please contact Mr. Wally Jobman within our office at (308)382-6468, extension 16. Thank you for the opportunity to offer comments.

Sincerely,

Acting 
Nebraska Field Supervisor

cc: NGPC; Lincoln, NE (Attn: Martha Tacha)

(c)AntVal.ltr



Nebraska Game and Parks Commission

2200 N. 33rd St. / P.O. Box 30370 / Lincoln, NE 68503-0370

Phone: 402-471-0641 / Fax: 402-471-5528 / <http://www.ngpc.state.ne.us/>

May 13, 1998

Mr. Jeffrey S. Johnson
Antelope Valley Major Investment Study
1111 Lincoln Mall
Lincoln, NE 68508

RECEIVED

MAY 19 1998

OLSSON ASSOCIATES

Dear Dr. Johnson:

This responds to your March 23, 1998, request for an update on our comments regarding impacts to listed or proposed endangered and threatened species from a proposed downtown development (the Draft Single Package alternative, Antelope Valley Major Investment Study). In his letter of January 24, 1997, Daylan Figgs discussed the presence of the peregrine falcon (*Falco peregrinus*) and the Salt Creek Tiger Beetle (*Cicindela nevadica lincolniana*).

The endangered peregrine falcon is still seen regularly at the State Capitol Building and forages in the vicinity of the project. Limited nesting activity has been unsuccessful, however, and the project development will not likely have a significant impact on the species.

Review of the status of the above tiger beetle, which occurs predominantly in the Salt Creek and Little Salt Creek drainages, is currently underway. I believe Mr. Figgs sent you information on its population status and distribution. Preliminary information indicates that listing as an endangered subspecies may be warranted, and the subspecies may be proposed for state listing in the reasonably near future. Although the species is not currently protected under state law, we recommend that any environmental impact statement developed for the proposed development discuss potential project impacts to this subspecies.

I apologize for the tardiness of this response. Your request was mistakenly forwarded to Mr. Figgs, who currently works for the Commission in a different capacity in Kearney, Nebraska. I now handle all project reviews for potential impacts to endangered species. If I can be of further assistance, please let me know.

Sincerely,

Martha C. Tacha

Martha Tacha
Environmental Analyst/ Data Manager
Nebraska Natural Heritage Program
Nebraska Game and Parks Commission