

MEMORANDUM

Date: April 1, 2022

To: Darren Anderson, Carson City Public Works

From: NCE

Subject: East William Street Environmental Feasibility Study Project:
Biological Resources Technical Memorandum

Carson City has retained NCE to conduct background research and database searches on behalf of the East William Street Environmental Feasibility Study (project) to inform environmental and planning tasks that will need to be addressed during a future National Environmental Protection Act (NEPA) action. The area of focus for this technical memorandum is biological resources and habitat.

PROJECT DESCRIPTION

The project is located in Carson City and County, Nevada, south of Reno and Washoe Lake (**Figure 1**, figures provided in **Appendix A**). The project area established for the project runs along roughly 1.46 miles of East William Street for a total size of roughly 23.1 acres (**Figure 2**). The project will be located within the existing Carson City right of way of East William Street. Where necessary, the project will extend into adjacent parcels to accommodate improvements such as parking lot and driveway tie-ins, sidewalks, intersection corners, and utility service reconnections (see **Figure 2**).

The project will reconstruct and rehabilitate East William Street from Carson Street to the I-580 Interchange. The project will include partial reconstruction of the roadway; installation of new curbs, gutters, sidewalks, and multi-use pathways; Americans with Disabilities Act upgrades; Access Management revisions; utility replacements; and landscaping. All project activities will be constructed within the existing road corridor.

Proposed project activities were evaluated for potential impact to biological resources, as described below.

GENERAL HABITAT WITHIN PROJECT AREA

The habitat within the project area is characterized as urban with the developed footprint of East William Street making up the majority of the project area. Mills Park

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is an urban park with mature trees and frequently mowed grass lawns located south of the project boundary adjacent to the central portion of the project area.

RESULTS OF SPECIAL STATUS SPECIES DATABASE SEARCH

A wide variety of taxa native to the state of Nevada have low population numbers, limited distributions, or are otherwise vulnerable to extinction or extirpation within the state and are therefore protected by state and federal laws. Although they may include ecologically significant units and sub-species, as well as species, these taxa are collectively referred to as “special status species”.

Relevant information was reviewed to assess the likelihood of special status species to occur within the project area and the results are summarized in **Table 1** below.

The following references and background information was reviewed:

- *Nevada Natural Heritage Program* (NNHP). 2022. Personal communication with Eric Miskow to request information on special status species occurrence data within or near project area.
- *Nevada Department of Wildlife* (NDOW). 2022. Personal communication with Jinna Larkin to request information on special status species occurrence data within or near project area.
- Information for Planning and Conservation (IPaC). 2022. United States Fish and Wildlife Service. Accessed online.

The results of the database research were used to assess the presence of special status species and their habitats in the vicinity of the project. In addition, a determination was made, based on the database research, regarding the potential for each species to occur within the vicinity of the project area. These determinations are presented in **Table 1** below. Species that are known to occur in the region, but do not have adequate habitat within the project area or geographic or constructed barriers blocking migratory corridors between known populations and the project site, were listed as “absent” or “unlikely”. Species that have suitable habitat present within the project area were listed as “possible”.

Table 1: List of Special Status Species that May Occur in the Vicinity of the Project Area.

Common Name Scientific Name	Federal Status	State Status	Habitat Requirements	Potential for Occurrence
Insects				
Carson wandering skipper <i>Pseudocopa eodes eunus obscurus</i>	FE	-	Grassland habitats on alkaline substrates. Adult flight season occurs primarily from June to mid-July. The species lays eggs on salt grass (<i>Distichlis spicata</i>).	None. Breeding and foraging habitat is absent within the project area.
Monarch butterfly <i>Danaus plexippus</i>	FCE	-	Western population (west of the rocky mountains) travels inland to breeding areas throughout the west. Overwintering sites are generally within 1.5 miles of the California coast. Females lay eggs on milkweed plants.	None. Breeding or overwintering habitat is not present within the project area.
Amphibians				
Sierra Nevada yellow-legged frog <i>Rana sierrae</i>	FE	-	Lakes, ponds, marshes, meadows, and streams at elevations ranging from 4,500 to 12,000 feet. Species is highly aquatic and is rarely found more than 3.3 feet from water.	None. Aquatic habitat is absent within the project area.
Mammals				
Mule Deer <i>Odocoileus hemionus</i>	-	PM	Open grasslands, parklands, or forest edge ecosystems. Mule deer thrive in habitats that have a combination of early-stage plant growth, mixed-species plant communities, and diverse and extensive shrub growth. A mixture of plant communities provides better forage than any single species.	Possible. Species may move through project area while foraging.

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<u>Sources:</u>	<u>Federally Listed Species (Federal):</u>	<u>Nevada State Listed Species (NV):</u>
United States Fish and Wildlife Service	FE = Federally Endangered	CE = Critically Endangered Plant
Nevada Natural Heritage Program	FT = Federally Threatened	EF = Endangered Fish
Nevada Department of Wildlife	FSC = Species of Concern	PM = Protected Mammal
	PT = Proposed Threatened	TM = Threatened Mammal
	FCE = Candidate for Endangered	<u>Nevada Natural Heritage Program:</u>
	FPD = Proposed for Delisting	CI = Critically Imperiled

FINDINGS

Based on the assessment described above, mule deer (*Odocoileus hemionus*), a NDOW protected game mammal, have the potential to occur within the project area. The mule deer habitat within the project area is marginal due to the project's existing development, but mule deer are known to forage in urbanized grassy areas of Carson City, such as Mills Park. The presence of other special status species plants or animals is unlikely within the project area due to the project's location within a previously developed urban roadway corridor and surrounding urban development. Ongoing disturbance from traffic, noise, and urban development within the project area itself make for poor-quality habitat and make potential for special status species occurrence within the project area unlikely.

Trees within and near the project area may provide suitable nesting habitat for migratory birds including tree-nesting raptors. If a migratory bird, regardless of its federal or state status, were to nest in trees within or near the site prior to or during proposed construction activities, such activities could result in the abandonment of active nests or direct mortality to these birds. Construction activities that adversely affect the nesting success of special-status or non-special status migratory birds, including tree-nesting raptors, or result in mortality of individual birds constitute a violation of the Federal Migratory Bird Treaty Act (16 U.S.C., scc. 703, Supp. I, 1989) which prohibits killing, possessing, or trading in migratory birds, except in accordance with regulations prescribed by the Secretary of the Interior. Nevada Revised Statute "NRS 503.620" provides state protection to birds included in the federal Migratory Bird Treaty Act.

The United States Fish and Wildlife Service (USFWS) recommends completing all project activities, such as tree removal, that could result in migratory bird take outside the maximum migratory bird nesting season. November through February is a suitable timeframe for completing tree removal in order to minimize the potential to impact nesting birds. If ground disturbing project work must occur during the

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nesting season (March – October), or a nesting season defined by local resource agencies, project proponents should utilize a qualified biologist to survey nesting bird habitat within the project area, no more than 14 days prior to the beginning of tree removal activities. A copy of the survey shall be submitted to the project owner prior to the start of construction activities.

If nesting birds are detected within the project area during the survey, consultation with the NDOW and the USFWS is recommended to establish avoidance or minimization measures and avoid impacts to these species during construction. Avoidance measures could include the establishment of a suitable activity-free buffer around all active nests. The precise dimension of the buffer shall be determined at that time and may vary depending on location and species. Buffers shall remain in place for the duration of the breeding season or until it has been confirmed by a qualified biologist that all chicks have fledged. The avoidance or minimization plan shall be submitted to the project owner for review and approval prior to the start of construction activities. These measures will ensure that no nesting birds are disturbed by construction activities.

Big brown bat (*Eptesicus fuscus*) and Mexican free-tailed bat (*Tadarjda brasiliensis*) have been observed in the vicinity of the project area (NDOW 2022). Based on NCE's data request to NDOW, there were no known roosting sites or habitat within the project area. It is reasonable to assume construction activities associated with the project will not impact unknown urban roosting sites, and any bats roosting near the project are likely acclimated to significant noise throughout the day.

Finally, noxious weeds are required to be controlled and removed by landowners with supervision over streets, alleys, lanes, and right of ways (NRS 555.150). Plant species listed as noxious weeds in the project area are required to be removed in a manner specified by the State Quarantine Officer.

To support a future NEPA environmental document, NCE recommends this memo be updated to include any additional findings from a reconnaissance-level field survey. This field survey should be conducted during the spring/summer months. The purpose of the field survey will be to verify the results of the database research, identify existing raptor or migratory bird nests, bat roosting sites, and noxious weeds present in the project area.

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Should you have any questions, please contact NCE at 775-588-2505.

Thank you,



A handwritten signature in blue ink, appearing to read "Mack Casterman".

Mack Casterman
Project Scientist

A handwritten signature in blue ink, appearing to read "Dave Rios".

Dave Rios
Associate Scientist

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Attachments:

APPENDIX A: FIGURES

Figure 1: Project Location Map

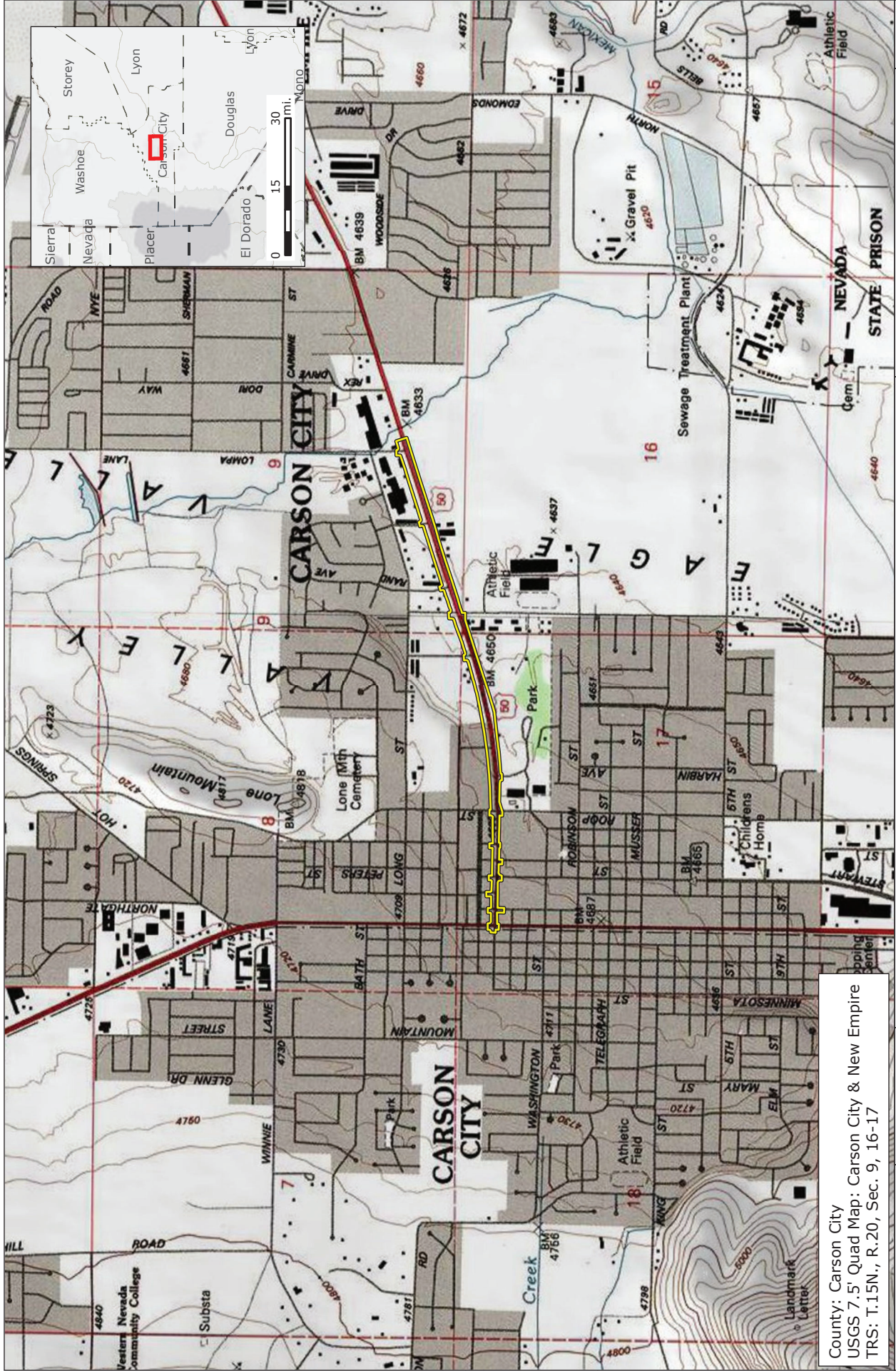
Figure 2: Project Detail Map

APPENDIX B: USFWS INFORMATION FOR PLANNING AND CONSULTATION REPORT

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Appendix A Figures

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County: Carson City
 USGS 7.5' Quad Map: Carson City & New Empire
 TRS: T.15N., R.20, Sec. 9, 16-17

Legend
 Project Area



East William Street Environmental Feasibility Study Project

Project Vicinity Map



1:24,000
 0 1,000 2,000 ft.

FIGURE 1

SOURCE ESRI USGS Topography Basemap	JOB NUMBER 953.11.25	DRAWN sdavenport	DATE 1/25/2022	REVISED 3/23/2022	APPROVED jhall
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Legend
 Project Area



East William Street Environmental Feasibility Study Project
 Project Detail Map

ANCE

 1 in. = 200 ft.
 0 100 200 ft.
 N
 FIGURE **2a**

APPROVED	jhall
REVISED	3/23/2022
DATE	1/25/2022
DRAWN	sclavenport
JOB NUMBER	953.11.25
SOURCE	Carson City Ortho Imagery



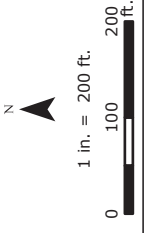
Legend
 Project Area



East William Street Environmental Feasibility Study Project
 Project Detail Map



FIGURE
2b



DATE	1/25/2022	REVISED	3/23/2022	APPROVED	jhall
JOB NUMBER	953.11.25	DRAWN	sclavenport		
SOURCE	Carson City Ortho Imagery				



Legend
 Project Area

FIGURE 2C





N
 1 in. = 200 ft.
 0 100 200 ft.

ANCE

East William Street Environmental Feasibility Study Project
Project Detail Map

APPROVED j.hall	REVISED 3/23/2022	DATE 1/25/2022	DRAWN sdavenport	JOB NUMBER 953.11.25	SOURCE Carson City Ortho Imagery
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 	<p>FIGURE 2d</p>	<p>APPROVED j.hall</p>
<p>1 in. = 200 ft.</p> 	<p>REVISED 3/23/2022</p>	<p>DATE 1/25/2022</p>
<p>Legend</p>  Project Area	<p>East William Street Environmental Feasibility Study Project Project Detail Map</p>	<p>DRAWN sdavenport</p>
<p>SOURCE Carson City Ortho Imagery</p>	<p>JOB NUMBER 953.11.25</p>	<p>DATE 1/25/2022</p>

Appendix B USFS Information for Planning and Consultation Report

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United States Department of the Interior



FISH AND WILDLIFE SERVICE
Reno Fish And Wildlife Office
1340 Financial Boulevard, Suite 234
Reno, NV 89502-7147
Phone: (775) 861-6300 Fax: (775) 861-6301
<http://www.fws.gov/reno/>

In Reply Refer To:
Project Code: 2022-0002726
Project Name: East William Street Rehabilitation Project

February 03, 2022

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The attached species list indicates threatened, endangered, proposed, and candidate species and designated or proposed critical habitat that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act of 1973, as amended (ESA, 16 U.S.C. 1531 *et seq.*), for projects that are authorized, funded, or carried out by a Federal agency. Candidate species have no protection under the ESA but are included for consideration because they could be listed prior to the completion of your project. Consideration of these species during project planning may assist species conservation efforts and may prevent the need for future listing actions. For additional information regarding species that may be found in the proposed project area, visit <http://www.fws.gov/nevada/es/ipac.html>.

The purpose of the ESA is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the ESA and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Guidelines for preparing a Biological Assessment can be found at: http://www.fws.gov/midwest/endangered/section7/ba_guide.html.

If a Federal action agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species, and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this species list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally listed, proposed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally, as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation, for updates to species lists and information

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Migratory Birds
 - Wetlands
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Reno Fish And Wildlife Office

1340 Financial Boulevard, Suite 234

Reno, NV 89502-7147

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Project Summary

Project Code: 2022-0002726

Event Code: None

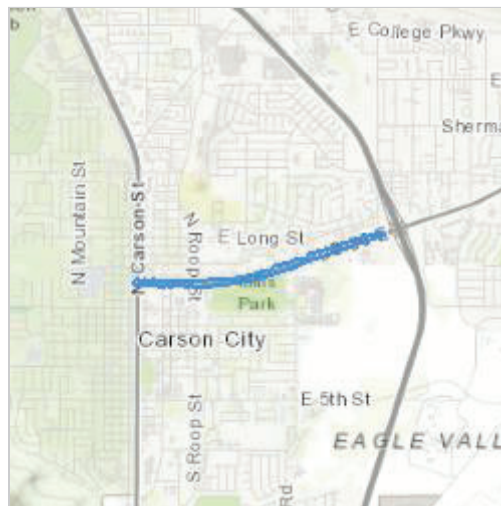
Project Name: East William Street Rehabilitation Project

Project Type: Road/Hwy - Maintenance/Modification

Project Description: Carson City (City) proposes to reconstruct and rehabilitate East William Street from Carson Street to the I-580 Interchange. Proposed improvements include partial reconstruction of the roadway; installation of new curbs, gutters, sidewalks, and multi-use pathways; Americans with Disabilities Act upgrades; Access Management revisions; utility replacements; and landscaping. The effort is funded by State Planning and Research Funding; therefore, compliance with Federal and State environmental regulations will be required.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@39.1723557,-119.74960844909565,14z>



Counties: Carson City County, Nevada

Endangered Species Act Species

There is a total of 3 threatened, endangered, or candidate species on this 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 fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Amphibians

NAME	STATUS
Sierra Nevada Yellow-legged Frog <i>Rana sierrae</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/9529	Endangered

Insects

NAME	STATUS
Carson Wandering Skipper <i>Pseudocopaedes eunus obscurus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/674	Endangered
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31
Cassin's Finch <i>Carpodacus cassinii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9462	Breeds May 15 to Jul 15

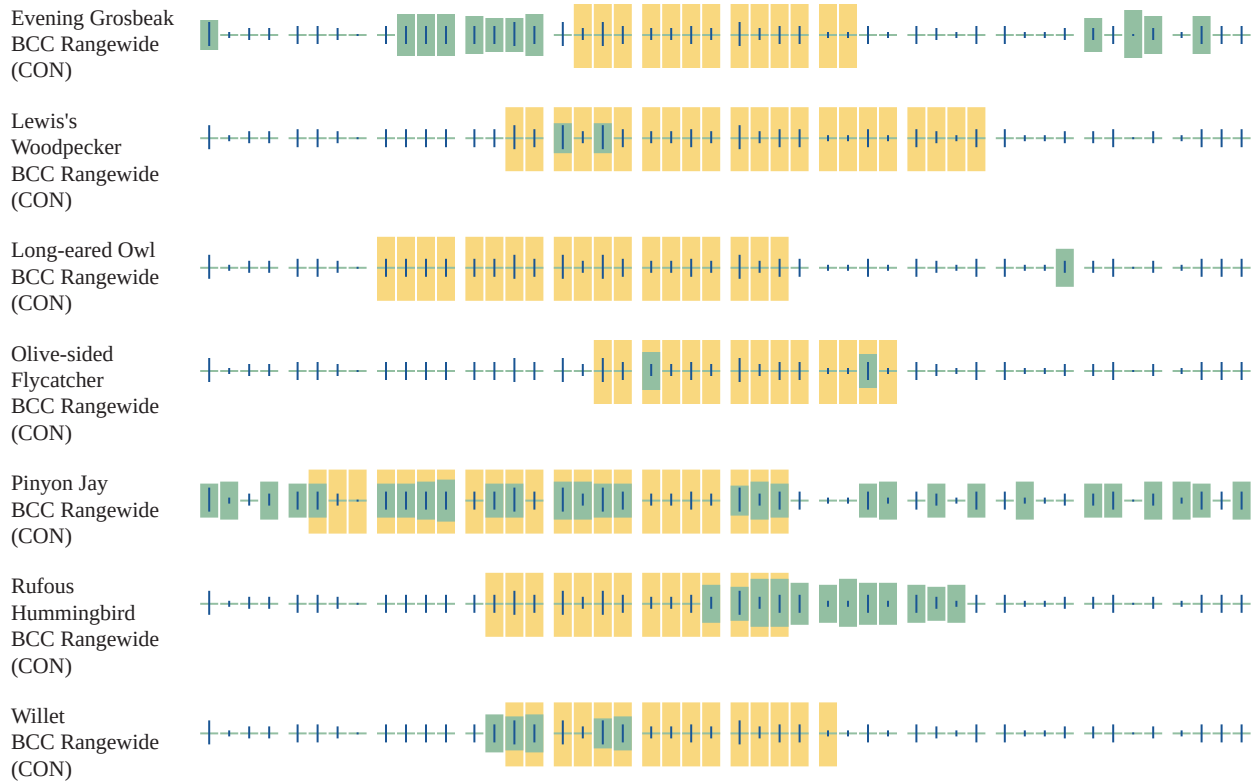
NAME	BREEDING SEASON
Evening Grosbeak <i>Coccothraustes vespertinus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9408	Breeds May 15 to Aug 10
Lewis's Woodpecker <i>Melanerpes lewis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9408	Breeds Apr 20 to Sep 30
Long-eared Owl <i>asio otus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3631	Breeds Mar 1 to Jul 15
Olive-sided Flycatcher <i>Contopus cooperi</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3914	Breeds May 20 to Aug 31
Pinyon Jay <i>Gymnorhinus cyanocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9420	Breeds Feb 15 to Jul 15
Rufous Hummingbird <i>selasphorus rufus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8002	Breeds Apr 15 to Jul 15
Willet <i>Tringa semipalmata</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 20 to Aug 5

Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.



Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

Migratory Birds FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern \(BCC\)](#) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
 2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
-

3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell

me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.
