Clean Water Act Section 401 Water Quality Certification Application

Please refer to the "Clean Water Act Section 401 Water Quality Certification Application Guidance" document for assistance with completing this application.

A. Pre-Filing Meeting	
Please provide the date that a pre-filing meeting was requested from Nevada Division of Environmental Protection (NDEP) Bureau of Water Quality Planning (BWQP). *Note: If a pre-filing meeting has not been requested, please schedule a pre-filing meeting with NDEP BWQP.*	June 30th, 2025

B. Contact Information			
Project Proponent Information			
Company Name: Carson Valley Conservation District		Address: 1702 County Rd., Suite A	
Applicant Name: Richard Wilkinson		City: Minden	
Phone: 775-782-3661	Fax: N/A	State: Nevada	
Email: Richard.Wilkinson@nv.nacdnet.net		Zip Code: 89423	
Agent Information			
Company Name: Carson Valley Conservation District		Address: 1702 County Rd., Suite A	
Agent Name: Richard Wilkinson		City: Minden	
Phone: 775-782-3661	Fax: N/A	State: Nevada	
Email: Richard.Wilkinson@nv.nacdnet.net		Zip Code: 89423	

C. Project General Information			
Project Location			
Project/Site Name: Running River #2 – Genoa Phase 4 2025 River Restoration Project		Name of receiving waterbody: Carson River	
Address: No physical address. APN: 1319-11-001-013 (access). APN: 1319-03-810-001 (work). City: Genoa County: Douglas State: Nevada Zip Code: 89423		Type of waterbody present at project location (*select all that apply*): ☒ Perennial River or Stream ☐ Intermittent River or Stream ☐ Ephemeral River or Stream ☐ Lake/Pond/Reservoir ☐ Wetland ☐ Other: _____	
Latitude (UTM or Dec/Deg): 39.0092252		Longitude (UTM or Dec/Deg): -119.8269395	
Township: 13N	Range: 19E	Section: 10	¼ Section: NE

Project Details	
Project purpose:	The purpose of this project is to restore and stabilize a highly eroded section of the Carson Riverbank at site Running River #2, one of six sites proposed as part of the Genoa Phase 4 River Restoration Project in Douglas County, NV. Excess instream materials deposited in the channel during flooding events in 2017 and 2023 will be used to reshape the banks and prevent erosion and degradation during future high-flow events. Some material will also be cut from the top of the bank to use for reshaping the bank. Approximately 345 linear feet along the straight sections of the project will be reshaped to a 3 to 1 slope with the intent to create a gradual connection of the river to the floodplain. Instream materials will be used as fill to reshape the bank and will be protected and reinforced by rock riprap with interspersed willow plantings on the bank toe and lower slope and bioengineering applications on the upper slope. Bioengineering and seeding applications will be used on the rock slope and upland areas with the aim of restoring vegetation at the site.
Describe current site conditions: Attachments can include, but are not limited to, relevant site data, photographs that represent current site conditions, or other relevant documentation.	This site was identified by CVCD in 2024 for priority restoration action as part of the Genoa Phase 4 project. Flood damage in 2017 and 2023, exacerbated by seasonal high flows in other years, has significantly eroded the riverbank at the bend and adjacent straights on the south and west banks. The project length is approximately 345 linear feet, and the average current bank height is 8 feet. Site characteristics include: vertical to concave banks, uplands vegetation being undercut, noticeable sedimentation and turbidity of the river, and two large concrete slabs from an old pump station are sloping from the bank into the river below the ordinary high water mark. See attached initial photo monitoring reports.
Describe the proposed activity including methodology of each project element:	Upon project initiation, BMPs will be installed, and the site will be dewatered in order to work in the channel without creating a discharge. Live flows will be diverted towards the opposite bank or center of the work area by excavating a channel through or around the existing in-stream bar and then diverting flows into that excavated channel. Temporary impacts resulting from dewatering will include a 284 linear-foot channel (0.1 acre surface area and 379 CY of instream material temporarily dredged). It is not anticipated that k-rails or other similar dewatering materials will be used directly onsite for this project. Running River #2 is directly downstream of another Carson Valley Conservation District project site titled “Carnes #2 - Genoa Phase 4 2025 River Restoration Project” (submitted under a separate 401 certification request, NV-401-25-023). Thus, the dewatering diversion at Carnes #2 will utilize k-rails upstream, and the channel will then continue downstream into and through the Running River #2 project (see engineer plans for details). The damaged riverbank will be re-graded and restored by cutting from the proposed crest lines and through utilization of

instream material as fill which will be dredged from specified borrow areas on attached Engineered Drawings. The project length is 345 linear feet. It is estimated that 298 cubic yards of material will be cut from the banks, of which 241 will be from above the Ordinary High Water Mark (OHWM) and 57 will be from below the OHWM. Approximately 493 cubic yards of instream material will be dredged from borrow areas and used as permanent bank fill. A total of 395 cubic yards of large riprap rock (Classes 300, 550, and 700) will be placed at the project site as permanent fill. Rock will be placed at a height of 2-3 feet along the toe and lower slope to reinforce the shaped bank, prevent future erosion, and allow for sediment deposition in between the rock spaces.

Two large concrete slabs from an old pump station have been inspected and will be removed from the site and properly disposed of outside of the floodplain. For removal, a large excavator with a thumb will be used. If any pieces break off, they will be collected by hand or with the excavator. Specifications for removal will be included in contractor's Scope of Work to remove all concrete, rebar, or other materials attached to the pad.

The project construction contractor will utilize the following equipment for the specified actions: a dozer to push in-stream materials to the bank, an excavator to load and place materials, a loader to haul and drop materials, haul trucks to transport materials to and from the site, a street sweeper to remove dirt tracked out onto roadways, water trucks for dust control, and a backhoe for similar functions of the loader and excavator. CVCD will apply bioengineering methods to stabilize and protect the banks within and above the riprap rock on the toe and upper slopes (willow poles and fascines). A stinger will be utilized to plant willow poles to a depth of ~3 feet. Coir fabric will be utilized on the upper slopes to protect from soil erosion. Bioengineering materials are estimated to be approximately 18 CY. The District plans to start this work as soon as possible and during the driest time of the year, potentially between February and March depending upon authorization of all permits. If all permitting is not authorized for this winter timeline, construction will be pushed until the fall of 2026.

This work is proposed to be completed under a CWA 404 Letter of Permission Procedure (LOP) with the US Army Corps of Engineers (USACE). This pathway for authorization has been recommended by USACE due to the following project characteristics:

- Risk of discharge of dredged or fill material into waters of the US (WOTUS)
- Project will have minimal or less than significant impacts on the human environment under NEPA
- Project will include dredging of more than 25 cubic yards of instream material

	• Project does not meet the terms of NWP 45 or NWP 13 • Project does not exceed one acre of permanent loss of WOTUS or 1,000 linear feet of streambed	
Estimate the nature, specific location, and number of discharge(s) expected to be authorized by the proposed activity:	The District does not anticipate any significant discharges as construction is planned during the driest time of the year. This section of the river often dries out during the winter so that water levels are extremely low, however this is dependent on annual precipitation and runoff levels. A minor discharge is possible if water levels unexpectedly come up during construction or when first creating the dewatering channel. Responsible dewatering practices and the application of BMPs which will be determined in the construction contract will help minimize any potential discharges.	
Provide the date(s) on which the proposed activity is planned to begin and end and the approximate date(s) when any discharge(s) may commence:	The project start date will be highly dependent upon the timing of authorization of permits by all regulatory agencies. Preferred timeframe: January – March 2025. Anticipated completion of heavy earthwork is Mar. 15th. Early to mid-February (possible minor discharge with creating a dewatering channel could happen around this time depending on water levels) If permitting is not authorized by February, the District may be able to push construction until March, though this will be dependent upon annual winter conditions and water levels. If weather does not permit for construction this winter, the project will be implemented in the fall of 2026.	
Provide a list of the federal permit(s) or license(s) required to conduct the activity which may result in a discharge into regulated waters (see mandatory attachments):	USACE CWA 404 Letter of Permission Procedure (LOP)	
Provide a list of all other federal, state, interstate, tribal, territorial, or local agency authorizations required for the proposed activity and the current status of each authorization:	NV Division of State Lands Authorization to Use State-Owned Submerged Lands (submitted) NDEP Temporary Working in Waterways (not yet submitted) Landowner Right of Entry Permit (complete) CVCD holds a General Permit for Routine Maintenance Activities	
Total area of impact to regulated waterbodies (acres):	1.05 acres	
Total distance of impact to regulated waterbodies (linear feet):	345 linear feet	
Amount excavation and/or fill discharged within regulated waters (acres, linear feet, and cubic yards): SEE ATTACHED IMPACTS TABLE FOR FULL DETAILS	Temporary: K-rails = none	Permanent: Bank cut = 57 CY Bio. materials = 18 CY
Amount of dredge material discharged within regulated waters (acres, linear feet, and cubic yards):	Temporary: Dewatering channel = 379 CY/0.1 acres/284 ln ft	Permanent: In-stream material = 493 CY/up to 0.19 acres/345 ln ft

Describe the reason(s) why avoidance of temporary fill in regulated waters is not practicable (if applicable):	The avoidance of temporary fill in regulated waters is not practicable due to the necessity of dewatering the construction site in order to avoid a discharge. A dewatering channel will be excavated, temporarily used during construction, and backfilled afterwards. The movement of instream material across the channel is considered temporary fill and cannot be avoided in order to complete the project. Installation of BMPs will also contribute to temporary fill and cannot be avoided due to the necessary protection of water quality standards.
Describe the Best Management Practices (BMPs) to be implemented to avoid and/or minimize impacts to regulated waters: Examples include sediment and erosion control measures, habitat preservation, flow diversions, dewatering, hazardous materials management, water quality monitoring, equipment or plans to treat, control, or manage discharges, etc.	The District will require contractors to bring clean and leak free equipment to and from the project site. In addition, extensive BMPs for mitigation of discharges will be in place and stated within all contract documents. The proposed work will take place at the driest time of the year and if necessary, will dewater the site to ensure that the project does not create a discharge and increase turbidity of the river. Project boundaries and all desirable vegetation will be marked, and critical areas will be avoided to protect resources. The District will require contractors to water for dust control and sweep for any materials tracked out onto access roads. Reseeding with native or desirable vegetation will take place on all areas impacted by equipment and the staging of materials. Contractors will not work in water above a certain CFS (usually 600 CFS, written into contract) to not create significant discharge; the contractor has the flexibility to not work if not comfortable with water level and flows. Contractors will follow BMP guidelines determined within the contract and ensure that the storage of stockpiles and staging of equipment is at least 100ft from the OHWM. Stockpiles will likely only be used for rock riprap. Instream material will be pushed from the center of the riverbed over to the bank using the contractor's choice of equipment (loader, excavator, backhoe, and/or dozer). CVCD prefers the use of a loader, but this does not work with fine/silty material. Material that is moved that day will likely be utilized that day. CVCD requires that stored materials other than rock riprap be wrapped, and that silt fencing and filtration waddles are utilized during storage. The construction contractor is responsible for obtaining the approved SWPP for the proposed project. A construction contractor has not yet been selected for this project. An approved SWPP will be obtained prior to the start of work, and this will define specific work erosion control measures. Typical erosion control measure that will be required include: • Limited site access. • Stockpiles will have perimeter controls such as silt fencing and/or filtration wattles. • Erosion prevention by implementing any or a combination of soil stabilization practices such as mulching, surface roughening, and temporary silt fencing. • Work will be done during appropriate weather conditions and will shut down work during storms

	when wind, rain, or snow would cause increased site erosion due to active work. Project boundaries will be marked to ensure that the minimum area necessary for project completion will be affected by construction activities. The site will likely be dewatered only once for construction. The low elevation of the streambed will be determined during the engineering survey and instream material will be dredged to no lower than the lowest current elevation. Attached Engineered Drawings depict the general conceptual plan for dewatering. The construction contractor will determine the final method for dewatering and will submit a plan to CVCD, with a seven-day review period. The contractor may choose to terminate the backend of the project into a sand and gravel pile. A dewater trench will be utilized and will not reduce the elevation of the streambed. A small discharge may occur when first creating the dewatering channel. However, the District will utilize silt fencing and filtration waddles to capture any downstream sediment flow. The dewatering trench will begin at the previously mentioned Carnes #2 site and will continue into and through the Running River #2 site. The projects may be completed one after the other or at the same time, depending on the workload capacity of the awarded contractor. CVCD estimates that the site will be dewatered for a maximum of 10 weeks; this timeframe is dependent upon weather and the number of personnel available to work under the construction contractor and will likely be less than the maximum allotted. The dewatering channel will be backfilled. There will be no piles of material remaining, and the area will be clear of debris. The removal of the diversion will allow for the return of the live stream flows to the original low flow channel. The work will be ordered so that equipment will not be driving through live stream flows.
Describe how the activity has been designed to avoid and/or minimize adverse effects, both temporary and permanent, to regulated waters:	CVCD has been implementing riverbank stabilization projects for over two decades and has continually worked to ensure that the bidding, contracting, and construction process includes detailed requirements to avoid adverse effects to regulated waters. Contract documents will specify the requirements mentioned above and CVCD staff will ensure that any known violations will result in the stoppage of all work until the violation is corrected. Safety of personnel and the preservation of regulated waters within and adjacent to the work site are of upmost importance. All the above-mentioned BMPs and work requirements will be in place to ensure the minimization of adverse effects.
Describe any compensatory mitigation planned for this project (if applicable):	CVCD has determined that compensatory mitigation is not necessary for this project as actions will not result in potentially significant impacts on the human environment. CVCD is responsible for ensuring that the project is designed to avoid and minimize effects to the aquatic environment to the maximum extent practicable. The project will not result in the

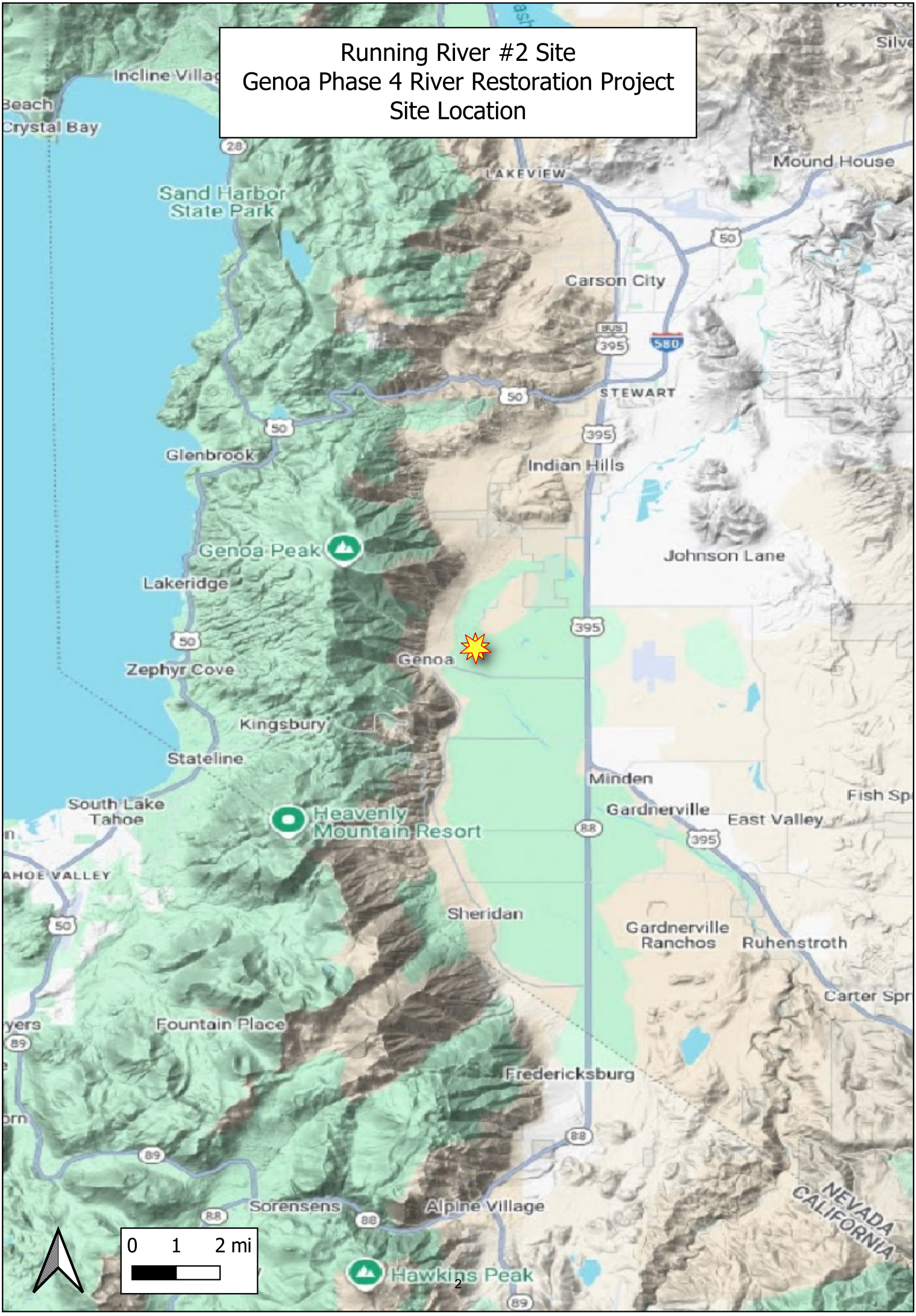
	loss of WOTUS, wetlands, stream bed, or aquatic resource functions.

D. Signature		
Name and Title (Print): Richard Wilkinson, District Manager	Phone Number: (775) 782-3661	Date: 12/12/2025
X  Signature of Responsible Official		

Mandatory Attachments:

- **Federal Permit or License Application** - A copy of the federal permit or license application and any readily available water quality-related materials that informed the development of the federal license or permit application.
- **Site Map** - A map or diagram of the proposed project site including project boundaries in relation to regulated waters, local streets, roads, and highways.
- **Engineered Drawings** - Engineered drawings are preferred to be submitted at the 70% design level. If only conceptual designs are available at the time of application, plans for construction should be submitted prior to the start of the project. Specific locations of the proposed activities and details of specific work elements planned for the project should be identified (e.g., staging areas, concrete washouts, perimeter controls, water diversions, or other BMPs).

Submit the completed application materials to NDEP (ndep401@ndep.nv.gov) with the appropriate U.S. Army Corps of Engineers Regulatory Office copied on the communication (http://www.spk.usace.army.mil/Missions/Regulatory/Contacts/Contact-Your-Local-Office/).


Running River #2 Site
Genoa Phase 4 River Restoration Project
Site Location
Incline Village
Crystal Bay
Sand Harbor State Park
LAKEVIEW
Mound House
Carson City
STEWART
Indian Hills
Glenbrook
Genoa Peak
Lakeridge
Johnson Lane
Zephyr Cove
Genoa
Kingsbury
Stateline
Minden
South Lake Tahoe
Heavenly Mountain Resort
Gardnerville
East Valley
Sheridan
Gardnerville Ranchos
Ruhenstroth
Fountain Place
Fredericksburg
Sorensens
Alpine Village
Hawkins Peak
NEVADA
CALIFORNIA
0 1 2 mi


Running River #2 Site
Genoa Phase 4 River Restoration Project
Site Work Elements
Carson River
Genoa Lane
Legend
Haul route/ingress/egress
Staging area
Project work area
0 250 500 ft

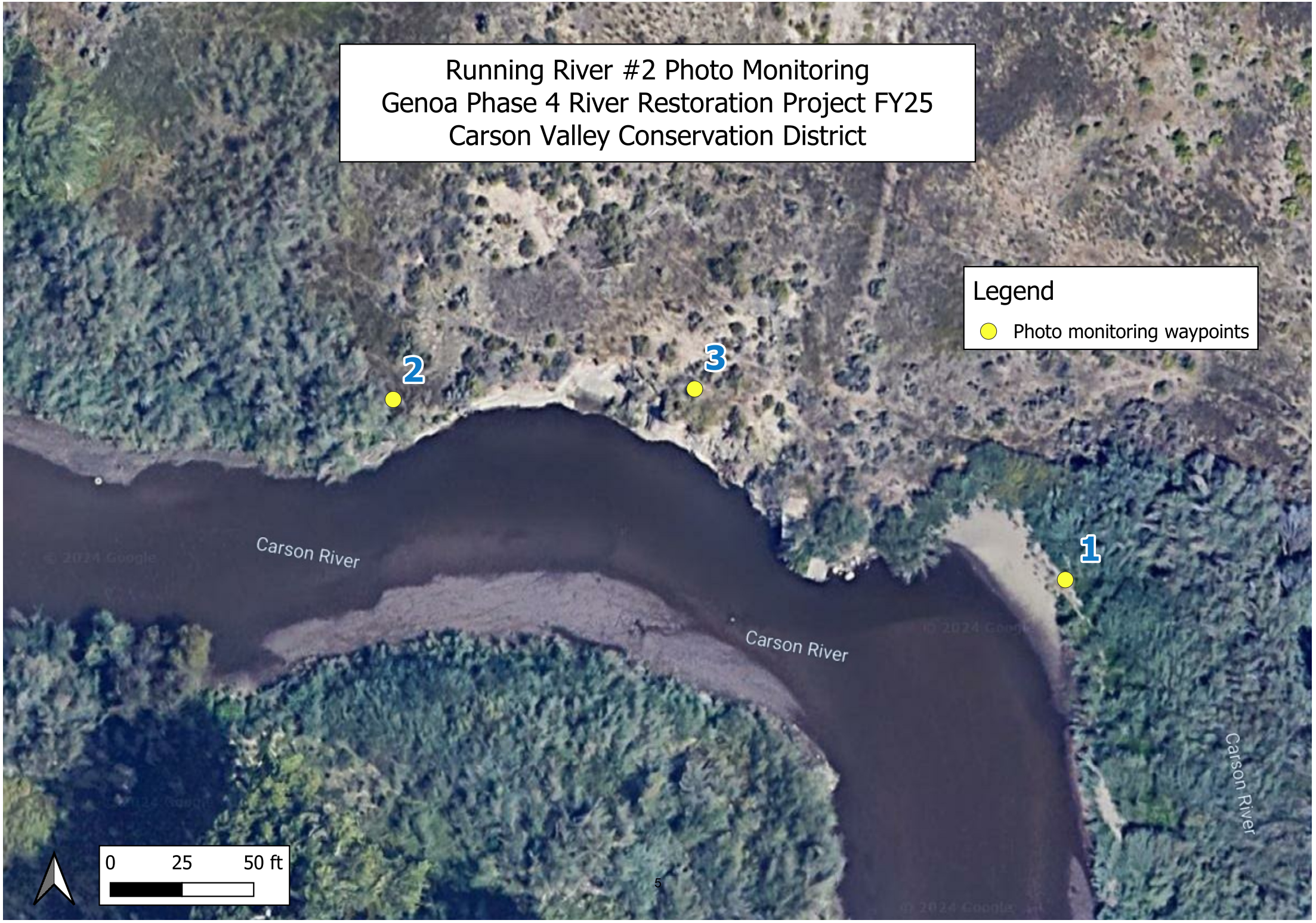
Photo Monitoring Report

RUNNING RIVER #2, CARSON RIVER

CARSON VALLEY CONSERVATION DISTRICT

GENOA PHASE 4 RIVER RESTORATION PROJECT

5/10/2024 –


Running River #2 Photo Monitoring
Genoa Phase 4 River Restoration Project FY25
Carson Valley Conservation District
Legend
Photo monitoring waypoints
2
3
1
Carson River
Carson River
Carson River
0
25
50 ft

Genoa Phase 4 2025 River Restoration Project - Impacts Table

Carson Valley Conservation District

Site	USACE	Impact Duration	Impact Description	Linear Feet	Area (acres)	Cubic Yards Fill	Cubic Yards Dredge/Cut
Running River #2	Letter of Permission Procedure (LOP)	Temporary	Dewatering trench	Channel = 284 K-rails = none*	0.1	Channel = 379 K-rails = none*	Channel = 379
			Pushing instream material	345	0.48	-	-
		Permanent	Bank stabilization	345	0.28	Riprap = 395 Bio. materials = 18 Bank fill = 550	Bank cut = 57
			Borrow areas	-	0.19**	-	Instream material = 493
				Total Site 1 Area:	**1.05**		

**Note: The Running River #2 site is directly downstream of the Carnes #2 site (submitted under separate application). K-rails will be used at the Carnes #2 site to dewater the entire section of the river spanning both sites.*

*** Note: Borrow area acreages cover all potential areas where instream material may be dredged. Only enough of this acreage will be dredged to supply the specified instream material.*

U.S. Department of Agriculture | NRCS-CPA-52
Natural Resources Conservation Service | 11/2019

ENVIRONMENTAL EVALUATION WORKSHEET

A. Client Name: Carson Valley Conservation District

B. Conservation Plan ID # (as applicable):
Program Authority (optional): Conservation Technical Assistance

C. Identification # (farm, tract, field #, etc. as required):
T 13N, R 19E, Sec. 10, 11

D. Client's Objective(s) (purpose):
Improve streambank stabilization and riparian habitat along the East Fork of the Carson River near Genoa (Genoa Phase 4 - Running River Ranch Site #2, Carnes Site #1, and Carnes #2).

E. Need for Action:
There is active bank erosion along the East Fork of the Carson River. Sustained high water flows and flooding in 2017 and 2023 have caused severe erosion and cut banks, the loss of desirable riparian vegetation, and excessive channel accumulation of large woody debris and sand/gravel bars.

H. Alternatives

No Action	√ if RMS ☐	*Alternative 1*	√ if RMS ☐	*Alternative 2*	√ if RMS ☐
Operation will continue without change. Streambank erosion along the East Fork of the Carson River will remain or increase.		STREAMBANK/SHORELINE PROTRECTION (580): The objective of this project is to stabilize riverbanks, restore the connection of river to floodplain, and encourage the restoration and natural recovery of riparian habitat through bank stabilization and bioengineering applications at five project sites within Reach 1812 of the Carson River. The sites occur over a stretch of approximately 2.86 miles of the Carson River, below the confluence of the East and West Forks, and between Genoa Lane and the Cradlebaugh Bridge.			

Resource Concerns

In Section "F" below, analyze, record, and address concerns identified through the Resources Inventory process. (See FOTG Section III - Resource Planning Criteria for guidance).

F. Resource Concerns and Existing/ Benchmark Conditions (Analyze and record the existing/benchmark conditions for each identified concern)	**I. Effects of Alternatives**					
	No Action		***Alternative 1***		***Alternative 2***	
	Amount, Status, Description *(Document both short and long term impacts)*	**√ if does NOT meet PC**	**Amount, Status, Description** *(Document both short and long term impacts)*	**√ if does NOT meet PC**	**Amount, Status, Description** *(Document both short and long term impacts)*	**√ if does NOT meet PC**
SOIL						
Bank erosion from streams, shorelines or water conveyance channels Active soil erosion along streambanks of East Fork of Carson River.	ST: No change in baseline. LT: Possible increase in erosion in subsequent years from spring runoff or other flow events.	☑ NOT meet PC	ST-LT positive effect - Increased streambank stabilization with installation.	☐ NOT meet PC		☐ NOT meet PC
		☐ NOT meet PC		☐ NOT meet PC		☐ NOT meet PC
		☐ NOT meet PC		☐ NOT meet PC		☐ NOT meet PC
WATER						
Sediment transported to surface water Active soil erosion along streambanks of East Fork of Carson River.	ST: No change in baseline. LT: Possible increase in erosion in subsequent years from spring runoff or other flow events.	☑ NOT meet PC	ST-LT positive effect - Increased streambank stabilization with installation.	☐ NOT meet PC		☐ NOT meet PC
		☐ NOT meet PC		☐ NOT meet PC		☐ NOT meet PC
		☐ NOT meet PC		☐ NOT meet PC		☐ NOT meet PC

F. Resource Concerns and Existing/ Benchmark Conditions (Analyze and record the existing/benchmark conditions for each identified concern)	I. (continued)					
	No Action		*Alternative 1*		*Alternative 2*	
	Amount, Status, Description *(Document both short and long term impacts)*	**√ if does NOT meet PC**	**Amount, Status, Description** *(Document both short and long term impacts)*	**√ if does NOT meet PC**	**Amount, Status, Description** *(Document both short and long term impacts)*	**√ if does NOT meet PC**
AIR						
No resource concern identified		☐ NOT meet PC		☐ NOT meet PC		☐ NOT meet PC
		☐ NOT meet PC		☐ NOT meet PC		☐ NOT meet PC
PLANTS						
Plant productivity and health Riparian habitat along planning area is in poor shape due to active bank erosion along East Fork of Carson River.	ST: No change in baseline. LT: Possible increase in erosion in subsequent years from spring runoff or other flow events further decreasing or inhibiting desirable riparian vegetation to establish.	☑ NOT meet PC	ST-LT positive effect - Increased streambank stabilization will allow existing riparian vegetation to increase over time.	☐ NOT meet PC		☐ NOT meet PC
		☐ NOT meet PC		☐ NOT meet PC		☐ NOT meet PC
ANIMALS						
Terrestrial habitat for wildlife and invertebrates A variety of wildlife species, such as mule deer, and migratory birds are known to utilize this area and its riparian vegetation as a movement corridor, foraging habitat, and/or nesting habitat.	ST: No change in baseline. LT: Possible increase in erosion in subsequent years from spring runoff or other flow events further decreasing or inhibiting desirable riparian vegetation to establish.	☑ NOT meet PC	ST-LT positive effect - Increased streambank stabilization will allow existing riparian vegetation to increase over time.	☐ NOT meet PC		☐ NOT meet PC
		☐ NOT meet PC		☐ NOT meet PC		☐ NOT meet PC
		☐ NOT meet PC		☐ NOT meet PC		☐ NOT meet PC
ENERGY						
No resource concern identified		☐ NOT meet		☐ NOT meet		☐ NOT meet
		☐ NOT meet PC		☐ NOT meet PC		☐ NOT meet PC
Human Economic and Social Considerations						
Labor	ST: No change. LT: Potential negative.		ST - Increase in initial labor to install and establish practices. LT - Likely decrease in maintenance once vegetation establishes.			
Risk	ST: No change. LT: Potential negative.		ST - There is always a risk when establishing practices. LT - Likely decrease once vegetation establishes.			
Public Health and Safety There are several homes adjacent to the project area which may be impacted if a repair to the levee and streambank is not completed.	ST: Potential negative during spring runoff or other highwater event. LT: Likely negative with failing levee.		ST-LT: Positive impact on public health and safety with reestablishment of levee and streambank stabilization.			

Special Environmental Concerns: Environmental Laws, Executive Orders, policies, etc.

In Section "G" complete and attach Environmental Procedures Guide Sheets for documentation as applicable. Items with a "●" may require a federal permit or consultation/coordination between the lead agency and another government agency. In these cases, effects may need to be determined in consultation with another agency. Planning and practice implementation may proceed for practices not involved in consultation.

G. Special Environmental Concerns (Document existing/ benchmark conditions)	J. Impacts to Special Environmental Concerns					
	No Action		***Alternative 1***		***Alternative 2***	
	Document all impacts (Attach Guide Sheets as applicable)	√ if needs further action	Document all impacts (Attach Guide Sheets as applicable)	√ if needs further action	Document all impacts (Attach Guide Sheets as applicable)	√ if needs further action
●Clean Air Act *Guide Sheet* There are no PM or Ozone non-attainment areas within 1 mile of the planning area. A number of Class 1 Areas are present within 50 miles of the planning area. Source: Clean Air Act Map.	No Effect No change from benchmark conditions. No expected increase in emission rate of any regulated air pollutant.	☐	No Effect Planned practices are not expected to increase the emission rate of any regulated air pollutant.	☐		☐
●Clean Water Act / Waters of the U.S. *Guide Sheet* The East Fork Carson River, Brockliss Slough, and other streams or canals are in the planning area or within 1 mile of the planning area. 303(d) water bodies are present within 1 mile of the planning area. Freshwater Emergent Wetland, Freshwater Forested/Shrub Wetland, Riverine areas, and Freshwater Ponds are within or within 1 mile of the planning area. Source: Waters Geoviewer, NWI Map	May Affect ST-LT: increase in sediment and other material entering Carson River due to erosion.	☐	May Affect NRCS IS NOT THE LEAD AGENCY FOR THIS PROJECT, AND THUS HAVE NO CONTROL OF OUTCOMES. East Fork of the Carson River is on the 303(d) List and is the focal point of the streambank/ shoreline protection practice. NDEP & 404 Permit applications are required. Awaiting final approval.	☑		☐
●Coastal Zone Management *Guide Sheet* There are no Coastal Zone Management Areas in Nevada.	No Effect Not Applicable	☐	No Effect Not Applicable	☐		☐
Coral Reefs *Guide Sheet* There are no coral reefs in Nevada.	No Effect Not Applicable	☐	No Effect Not Applicable	☐		☐
●Cultural Resources / Historic Properties *Guide Sheet* No historic properties in area of potential effects: recommendation provided to Conservation District. State SCRS, see attached documentation.	No Effect Conservation District has been informed of the presence or absence of cultural resources and there is no involvement as per NRCS National/state policy.	☐	May Affect Files search completed by NRCS State Cultural Resource Specialist (SCRS) on 9/13/2024. Cultural resources survey was completed by NRCS SCRS on 9/17/2024. The CVCD is responsible for all consultation with concerned parties including but not limited to the Nevada State Historic Preservation Office and American Indian Tribes. No historic properties affected. (sites found not eligible, or no archaeological sites, or sites avoided). NRHP recommendation provided to Conservation District. See file for NV-EVC-01.	☑		☐

●Endangered and Threatened Species *Guide Sheet* IPaC lists Northwestern Pond Turtle, Carson Wandering Skipper and Monarch Butterfly. NDNH lists northern leopard frog is within the planning area. NDNH Protected Species include the lodgepole chipmunk, Carson Valley wood-nymph, Carson Valley sandhill skipper, monarch butterfly, and pallid sylvinus hairstreak within 1 mile of the planning area. NDNH Sensitive Species include the Greater Sandhill Crane and Bald Eagle in and within 1 mile of the planning area. Source: IPAC & 2024 NDNH Maps.	No Effect Client does not plan any activities that could adversely affect threatened and endangered species.	☐	May Affect No Take of any federally threatened, endangered, or at-risk species or their habitats is anticipated. Work is planned outside of Migratory Birds Nesting Season. ST: Potential negative effect due to removal of some foraging habitat to implement practice. LT: Potential positive effect due to site revegetation.	☐		☐
Environmental Justice *Guide Sheet* 13% of households in census area are low income (below the 32% State average) and 11% are minorities (below the 51% State average.) The Stewart Colony of the Washoe Tribe of NV & CA is south located north and downstream of the planning area. Source: EJScreen	No Effect Low-income populations, minority populations, or Tribes would not be adversely impacted by this alternative.	☐	No Effect No disproportionately high and adverse environmental or human health effect on a low-income population, minority population, or Indian Tribe will occur because no adverse environmental or human health effects are anticipated to result from planned practices.	☐		☐
●Essential Fish Habitat *Guide Sheet* No essential fish habitat present in Nevada.	No Effect Not Applicable	☐	No Effect Not Applicable	☐		☐
Floodplain Management *Guide Sheet* Planning area is within Flood Zone A, "Areas within a 1% annual chance of flooding and a 26% chance of flooding over a life of a 30-year mortgage." Source: Flood Hazard Map, FEMA	No Effect ST-LT: No change from benchmark conditions.	☐	No Effect ST-LT: No change from benchmark conditions. Practices planned are not anticipated to increase the chance of flooding onsite or downstream.	☐		☐
Invasive Species *Guide Sheet* Noxious/invasive species are known to occur along the Carson River.	May Affect ST-LT: Streambank erosion and sites of disturbance are ideal areas for weed invasion.	☐	May Affect ST: increase in the potential presence of invasive weeds due to soil manipulation and site disturbance. LT: With continued monitoring and treatment of weeds, as well as establishment of riparian vegetation, weed presence should decrease.	☐		☐
●Migratory Birds/Bald and Golden Eagle Protection Act *Guide Sheet* IPaC lists Bald Eagle, Black-throated Gray Warbler, California Gull, Calliope Hummingbird, Cassin's Finch, Evening Grosbeak, Golden Eagle, Lewis's woodpecker, Olive-sided Flycatcher, Pinyon Jay, Western Grebe, and Willet. Habitat for migratory birds is present in and/or adjacent to the planning area.	May Affect ST-LT: increased loss of available habitat for migratory birds and eagles due to streambank erosion along East Fork of the Carson River.	☐	May Affect No take of any migratory bird, nest, or egg is expected to occur and planned practices will not take or disturb eagles. Cottonwood galleries are present within or adjacent to the planning area, however disturbance to these species has already occurred due to flood damaging the soil banks causing the cottonwoods to fall. ST: Potential negative effect due to removal of some foraging habitat to implement practice. LT: Potential positive effect due to site revegetation.	☐		☐

Natural Areas *Guide Sheet* There are no designated natural areas in or near the planning area, however the East Fork of the Carson River is present and has native riparian vegetation.	No Effect ST: No change from benchmark conditions. LT: Potential negative effect on riparian vegetation with continued streambank/shoreline erosion along East Fork of the Carson River.	☐	May Affect ST: Riparian area will be impacted during and immediately following application of streambank/ shoreline protection. LT: Riparian area should improve once riparian vegetation is reestablished.	☐		☐
Prime and Unique Farmlands *Guide Sheet* MU 6278 (29.7%) is Farmland of statewide importance, if irrigated. These soils are directly adjacent to the River. MU 6467 (0.1%) is Prime farmland if irrigated and drained. All other Map Units are Not prime farmland. Source: WSS	No Effect ST-LT: No change from benchmark conditions.	☐	No Effect No conversion of farmland to nonagricultural use is planned. MUs 6278 are located adjacent to the River and are likely not to be disturbed by the streambank restoration. ST-LT: No change from benchmark conditions.	☐		☐
Riparian Area *Guide Sheet* Riparian areas are present along East Fork of Carson River. Source: Waters Geoviewer.	May Affect ST: No change from benchmark conditions. LT: Potential negative effect on riparian vegetation with continued streambank/shoreline erosion along East Fork of the Carson River.	☐	May Affect ST: Riparian area will be impacted during and immediately following application of streambank/ shoreline protection. LT: Riparian area should improve once riparian vegetation is reestablished.	☐		☐
Scenic Beauty *Guide Sheet* Although not a designated natural area, the East Fork of the Carson River is present and has native riparian vegetation. Planning area is surrounded by other agricultural operations.	May Affect ST: No change from benchmark conditions. LT: Potential negative effect on scenic beauty with continued streambank/shoreline erosion along West Fork of the Carson River.	☐	May Affect ST: Scenic beauty will be impacted during and immediately following application of streambank/ shoreline protection. LT: Scenic beauty should improve once riparian vegetation is reestablished.	☐		☐
●Wetlands *Guide Sheet* Freshwater Emergent Wetland, Freshwater Forested/Shrub Wetland, Riverine areas, and Freshwater Ponds are adjacent to and within the planning area. MU 9913 (approximately 21.7% of the planning area) has soil components that are considered hydric soils and have an upper water table depth that is 1 ft. or less. Source: NWI Map, WSS	No Effect ST-LT: No change from benchmark conditions.	☐	May Affect NRCS IS NOT THE LEAD AGENCY FOR THIS PROJECT, AND THUS HAVE NO CONTROL OF OUTCOMES. NDEP & 404 Permit applications are required. Awaiting final approval.	☑		☐
●Wild and Scenic Rivers *Guide Sheet* Wild and Scenic Rivers are not present in Nevada (NPS W&S Rivers Map).	No Effect Not Applicable	☐	No Effect Not Applicable	☐		☐

K. Other Agencies and Broad Public Concerns		*No Action*	*Alternative 1*	*Alternative 2*
Easements, Permissions, Public Review, or Permits Required and Agencies Consulted.		None required.	The CVCD is responsible for all cultural consultation with concerned parties including but not limited to the Nevada State Historic Preservation Office and American Indian Tribes. The CVCD is responsible for attaining any required permits, including by not limited to Army Corp of Engineer 404 permit, NV Division of State Lands permission, and NV Department of Environmental Protection. NV State Museum and Historical Records Files search and onsite cultural resource survey completed by NRCS State Cultural Resource Specialist. USFWS IPac and NDNH Files reviewed by NRCS District Conservationist.	
Cumulative Effects Narrative (Describe the cumulative impacts considered, including past, present and known future actions regardless of who performed the actions)		Destabilized streambanks may continue to erode, decreasing available riparian vegetation, wildlife habitat, etc. Sediment load will increase with destabilized banks, decreasing water quality. When the next high flow event or flooding occurs, the existing erosion on streambanks will increase.	With stabilization of streambanks, the amount of sediment and large material (gravel) moving from this site will decrease. Riparian vegetation and wildlife habitat should improve.	
L. Mitigation (Record actions to avoid, minimize, and compensate)		None required.	Work within Carson River will only occur during low flows. If possible, remove water from specific project sites. Adhere to stipulations associated with 404 and other permits. Time work outside of Migratory Bird Nesting Season.	
M. Preferred Alternative	√ preferred alternative	☐	☑	☐
	Supporting reason		Conservation District wants to improve the streambanks along the East Fork of the Carson River.	

N. Context (Record context of alternatives analysis) | local | watershed |

The significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality.

O. To the best of my knowledge, the data shown on this form is accurate and complete:

In the case where a non-NRCS person (e.g. a TSP) assists with planning they are to sign the first signature block and then NRCS is to sign the second block to verify the information's accuracy.

Signature (TSP if applicable)	**Title**	**Date**
	District Conservationist	**11/25/2024**
Signature (NRCS)	**Title**	**Date**

If preferred alternative is not a federal action where NRCS has control or responsibility and this NRCS-CPA-52 is shared with someone other than the client then indicate to whom this is being provided.

Carson Valley Conservation District

The following sections are to be completed by the Responsible Federal Official (RFO)

NRCS is the RFO if the action is subject to NRCS control and responsibility (e.g., actions financed, funded, assisted, conducted, regulated, or approved by NRCS). These actions do not include situations in which NRCS is only providing technical assistance because NRCS cannot control what the client ultimately does with that assistance and situations where NRCS is making a technical determination (such as Farm Bill HEL or wetland determinations) not associated with the planning process.

P. Determination of Significance or Extraordinary Circumstances

To answer the questions below, consider the severity (intensity) of impacts in the contexts identified above. Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

If you answer ANY of the below questions "yes" then contact the State Environmental Liaison as there may be extraordinary circumstances and significance issues to consider and a site specific NEPA analysis may be required.

Yes	No	
☐	☐	• Is the preferred alternative expected to cause significant effects on public health or safety?
☐	☐	• Is the preferred alternative expected to significantly affect unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas?
☐	☐	• Are the effects of the preferred alternative on the quality of the human environment likely to be highly controversial?
☐	☐	• Does the preferred alternative have highly uncertain effects or involve unique or unknown risks on the human environment?
☐	☐	• Does the preferred alternative establish a precedent for future actions with significant impacts or represent a decision in principle about a future consideration?
☐	☐	• Is the preferred alternative known or reasonably expected to have potentially significant environment impacts to the quality of the human environment either individually or cumulatively over time?
☐	☐	• Will the preferred alternative likely have a significant adverse effect on ANY of the special environmental concerns? Use the Evaluation Procedure Guide Sheets to assist in this determination. This includes, but is not limited to, concerns such as cultural or historical resources, endangered and threatened species, environmental justice, wetlands, floodplains, coastal zones, coral reefs, essential fish habitat, wild and scenic rivers, clean air, riparian areas, natural areas, and invasive species.
☐	☐	• Will the preferred alternative threaten a violation of Federal, State, or local law or requirements for the protection of the environment?

Q. NEPA Compliance Finding (check one)

The preferred alternative:		**Action required**
☐	1) is **not a federal action** where the agency has control or responsibility.	Document in "R.1" below. No additional analysis is required
☐	2) is a federal action **ALL** of which is **categorically excluded** from further environmental analysis **AND** there are **no extraordinary circumstances as identified in Section "P".**	Document in "R.2" below. No additional analysis is required
☐	3) is a federal action that has been **sufficiently analyzed** in an existing Agency state, regional, or national NEPA document **and** there are no predicted significant adverse environmental effects or extraordinary circumstances.	Document in "R.1" below. No additional analysis is required.
☐	4) is a federal action that has been sufficiently analyzed in another Federal agency's NEPA document (EA or EIS) that addresses the proposed NRCS action and its' effects **and has been formally adopted by NRCS**. NRCS is required to prepare and publish its own Finding of No Significant Impact for an EA or Record of Decision for an EIS when adopting another agency's EA or EIS document. (**Note: This box is not applicable to FSA)**	Contact the State Environmental Liaison for list of NEPA documents formally adopted and available for tiering. Document in "R.1" below. No additional analysis is required
☐	5) is a federal action that has **NOT** been sufficiently analyzed or may involve predicted significant adverse environmental effects or extraordinary circumstances and may require an EA or EIS.	Contact the State Environmental Liaison. Further NEPA analysis required.

R. Rationale Supporting the Finding	
R.1 Findings Documentation	
R.2 Applicable Categorical Exclusion(s) **(more than one may apply)** 7 CFR Part 650 *Compliance With NEPA* , subpart 650.6 *Categorical Exclusions* states prior to determining that a proposed action is categorically excluded under paragraph (d) of this section, the proposed action must meet six sideboard criteria. See NECH 610.116.	

I have considered the effects of the alternatives on the Resource Concerns, Economic and Social Considerations, Special Environmental Concerns, and Extraordinary Circumstances as defined by Agency regulation and policy and based on that made the finding indicated above.

S. Signature of Responsible Federal Official:

Signature	Title	Date

Additional notes

IPaC **U.S. Fish & Wildlife Service**

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Project information

NAME

CVCD Running River #2 Bank Stabilization

LOCATION

Douglas County, Nevada

DESCRIPTION

Some(The project will encompass approximately 310 linear ft of bank stabilization implementation including heavy earthwork to reshape the bank to a 3:1 slope, cut and fill of instream and upland material, application of riprap rock and bioengineering (willow plantings). The project timeline is approximately June 2025 - December 2026.)

Local office

Reno Fish And Wildlife Office

(775) 861-6300
(775) 861-6301

1340 Financial Boulevard, Suite 234
Reno, NV 89502-7147

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Log in to IPaC.
2. Go to your My Projects list.
3. Click PROJECT HOME for this project.
4. Click REQUEST SPECIES LIST.

Listed species[1] and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries[2]).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact NOAA Fisheries for species under their jurisdiction.

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1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. 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.

The following species are potentially affected by activities in this location:

Reptiles

NAME	STATUS
Northwestern Pond Turtle Actinemys marmorata Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1111	Proposed Threatened

Insects

NAME	STATUS
Carson Wandering Skipper Pseudocopaeodes eunus obscurus Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/674	Endangered
Monarch Butterfly Danaus plexippus Wherever found There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/9743	Proposed Threatened

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act [2] and the Migratory Bird Treaty Act (MBTA) [1]. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their habitats, should follow appropriate

regulations and consider implementing appropriate avoidance and minimization measures, as described in the various links on this page.

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide avoidance and minimization measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

There are Bald Eagles and/or Golden Eagles in your project area.

Measures for Proactively Minimizing Eagle Impacts
For information on how to best avoid and minimize disturbance to nesting bald eagles, please review the National Bald Eagle Management Guidelines. You may employ the timing and activity-specific distance recommendations in this document when designing your project/activity to avoid and minimize eagle impacts. For bald eagle information specific to Alaska, please refer to Bald Eagle Nesting and Sensitivity to Human Activity.

The FWS does not currently have guidelines for avoiding and minimizing disturbance to nesting Golden Eagles. For site-specific recommendations regarding nesting Golden Eagles, please consult with the appropriate Regional Migratory Bird Office or Ecological Services Field Office.

If disturbance or take of eagles cannot be avoided, an incidental take permit may be available to authorize any take that results from, but is not the purpose of, an otherwise lawful activity. For assistance making this determination for Bald Eagles, visit the Do I Need A Permit Tool. For assistance making this determination for golden eagles, please consult with the appropriate Regional Migratory Bird Office or Ecological Services Field Office.

Ensure Your Eagle List is Accurate and Complete
If your project area is in a poorly surveyed area in IPaC, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the Supplemental Information on Migratory Birds and Eagles, to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to bald or golden eagles on your list, see the "Probability of Presence Summary" below to see when these bald or golden eagles are most likely to be present and breeding in your project area.

Review the FAQs

The FAQs below provide important additional information and resources.

NAME	BREEDING SEASON
Bald Eagle Haliaeetus leucocephalus 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 Jan 1 to Aug 31
Golden Eagle Aquila chrysaetos 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/1680	Breeds Dec 1 to Aug 31

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 "Supplemental Information on Migratory Birds and Eagles", specifically the FAQ section titled "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.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the

maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

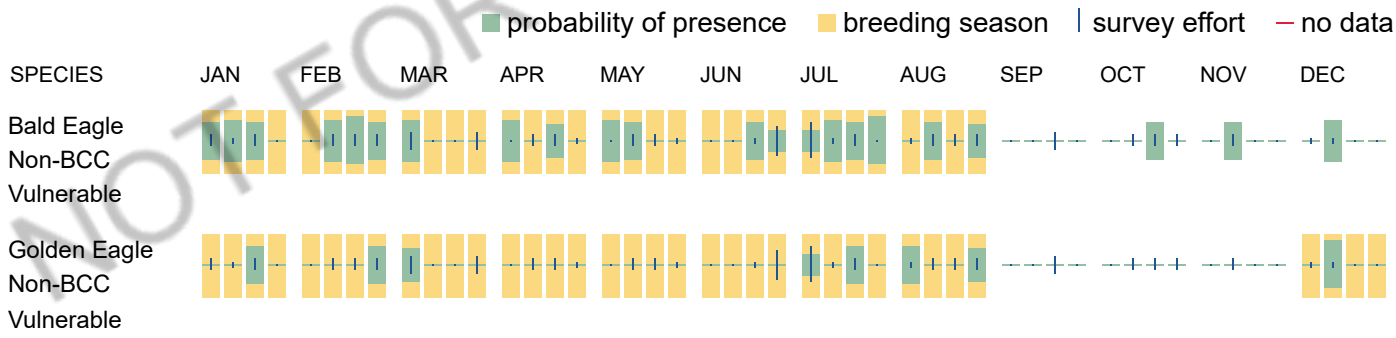
Breeding Season (▪)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Bald & Golden Eagles FAQs

What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence 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 an eagle (Bald and Golden Eagle Protection Act requirements may apply).

Proper interpretation and use of your eagle report

On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). 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 line or no data line (red horizontal) 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 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 and associated information help you know what to look for to confirm presence and helps guide you in knowing when to implement avoidance and minimization measures to eliminate or reduce potential impacts from your project activities or get the appropriate permits should presence be confirmed.

How do I know if eagles are breeding, wintering, or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the RAIL Tool and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If an eagle on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your “IPaC PROBABILITY OF PRESENCE SUMMARY” at the top of your results list), 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.

Interpreting the Probability of Presence Graphs

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 taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

How is the probability of presence score calculated? The calculation is done in three steps:
The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season ()
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort ()
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data ()
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

Migratory birds

The Migratory Bird Treaty Act (MBTA) [1] prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service (Service). The incidental take of migratory birds is the injury or death of birds that results from, but is not the purpose, of an activity. The Service interprets the MBTA to prohibit incidental take.

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide avoidance and minimization measures for birds
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

Measures for Proactively Minimizing Migratory Bird Impacts

Your IPaC Migratory Bird list showcases birds of concern, including Birds of Conservation Concern (BCC), in your project location. This is not a comprehensive list of all birds found in your project area. However, you can help proactively minimize significant impacts to all birds at your project location by implementing the measures in the Nationwide avoidance and minimization measures for birds document, and any other project-specific avoidance and minimization measures suggested at the link Measures for avoiding and minimizing impacts to birds for the birds of concern on your list below.

Ensure Your Migratory Bird List is Accurate and Complete

If your project area is in a poorly surveyed area, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the Supplemental Information on Migratory Birds and Eagles document, to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the "Probability of Presence Summary" below to see when these birds are most likely to be present and breeding in your project area.

Review the FAQs

The FAQs below provide important additional information and resources.

NAME	BREEDING SEASON
Bald Eagle Haliaeetus leucocephalus 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 Jan 1 to Aug 31
Black-throated Gray Warbler Setophaga nigrescens This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds May 1 to Jul 20
California Gull Larus californicus This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 1 to Jul 31
Calliope Hummingbird Selasphorus calliope This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9526	Breeds May 1 to Aug 15
Cassin's Finch Haemorhous cassinii 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
Evening Grosbeak Coccothraustes vespertinus This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 15 to Aug 10
Golden Eagle Aquila chrysaetos 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/1680	Breeds Dec 1 to Aug 31

Lewis's Woodpecker Melanerpes lewis — Breeds Apr 20 to Sep 30
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9408

Olive-sided Flycatcher Contopus cooperi — Breeds May 20 to Aug 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/3914

Pinyon Jay Gymnorhinus cyanocephalus — Breeds Feb 15 to Jul 15
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9420

Western Grebe aechmophorus occidentalis — Breeds Jun 1 to Aug 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/6743

Willet Tringa semipalmata — Breeds Apr 20 to Aug 5
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

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 "Supplemental Information on Migratory Birds and Eagles", specifically the FAQ section titled "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.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that

week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

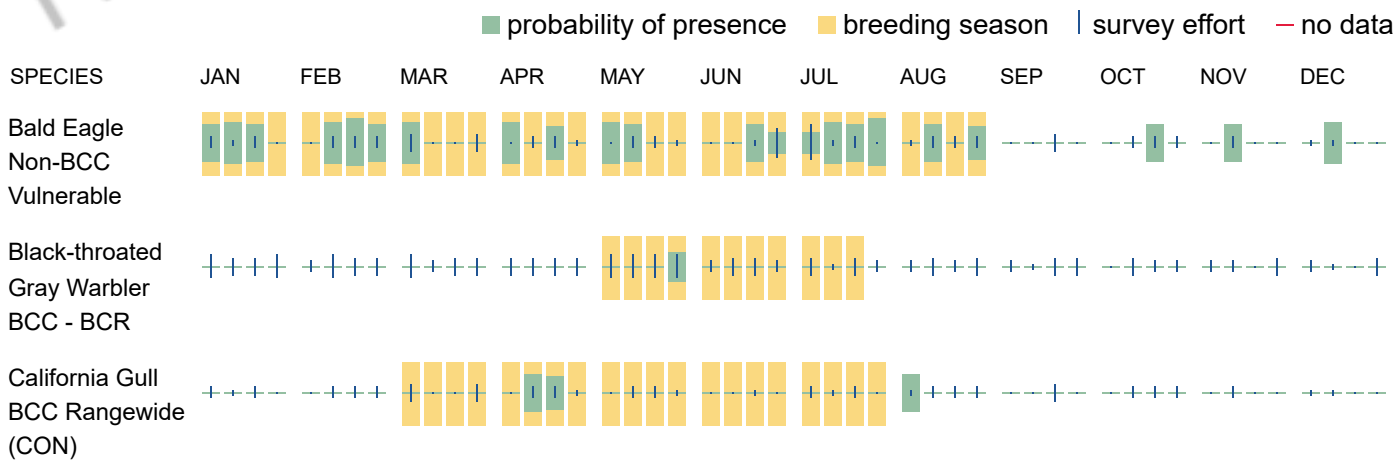
Breeding Season (▪)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

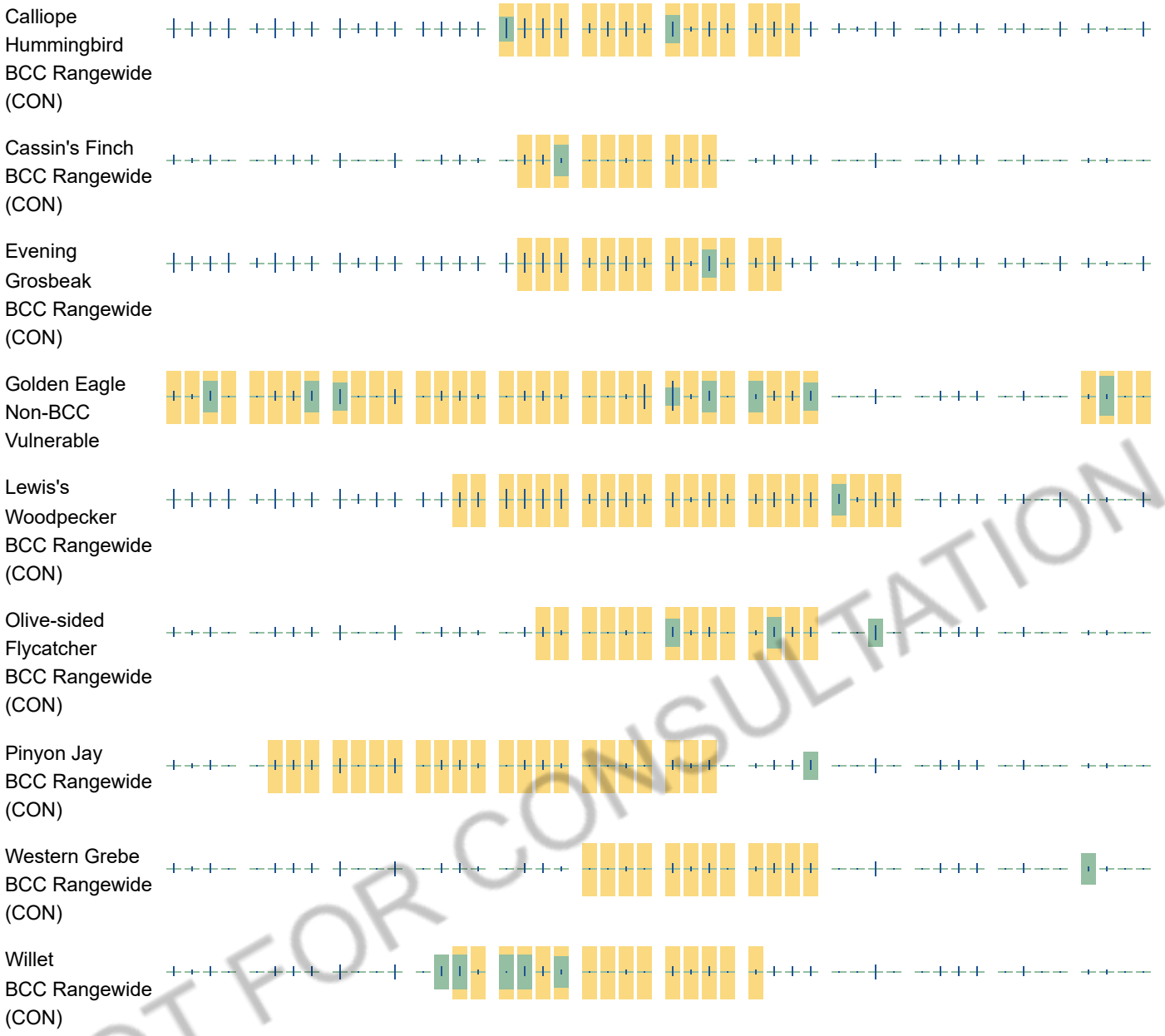
Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.





Migratory Bird FAQs

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

Nationwide Avoidance & Minimization Measures for Birds describes measures that can help avoid and minimize impacts to all birds at any location year-round. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is one of the most effective ways to minimize impacts. To see when birds are most likely to occur and breed 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 list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location, such as those listed under the Endangered Species Act or the Bald and Golden Eagle Protection Act and those species marked as “Vulnerable”. See the FAQ “What are the levels of concern for migratory birds?” for more information on the levels of concern covered in the IPaC migratory bird species list.

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) with which your project intersects. These species have been identified as warranting special attention because they are BCC species in that area, an eagle (Bald and Golden Eagle Protection 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, and to verify survey effort when no results present, please visit the Rapid Avian Information Locator (RAIL) Tool.

Why are subspecies showing up on my list?

Subspecies profiles are included on the list of species present in your project area because observations in the AKN for **the species** are being detected. If the species are present, that means that the subspecies may also be present. If a subspecies shows up on your list, you may need to rely on other resources to determine if that subspecies may be present (e.g. your local FWS field office, state surveys, your own surveys).

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 to 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, or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the RAIL Tool and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your “IPaC PROBABILITY OF PRESENCE SUMMARY” at the top of your results list), 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 Bald and Golden Eagle Protection 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 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 BCC species. For more information on avoidance and minimization measures you can implement to help avoid and minimize migratory bird impacts, please see the FAQ “Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds”.

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.

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 look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). 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 does not represent all birds present in your project area. 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 and associated information help you know what to look for to confirm presence and helps guide implementation of avoidance and minimization measures to eliminate or reduce potential impacts from your project activities, should presence be confirmed. To learn more about avoidance and minimization measures, visit the FAQ "Tell me about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds".

Interpreting the Probability of Presence Graphs

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 taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

How is the probability of presence score calculated? The calculation is done in three steps:

The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season ()
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort ()
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data ()
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

Facilities

National Wildlife Refuge lands

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 at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

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.

Wetland information is not available at this time

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the NWI map to view wetlands at this location.

Data limitations

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 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.

Data 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 tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data 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 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.