

# Empidonax traillii

willow flycatcher

Element Code: ABPAE33040

<b>Status</b>	<b>NDDB Element Ranks</b>	<b>Other Lists</b>
Federal: None	Global: G5	CDFG Status:
State: Endangered	State: S1S2	

## Habitat Associations

**General:** INHABITS EXTENSIVE THICKETS OF LOW, DENSE WILLOWS ON EDGE OF WET MEADOWS, PONDS, OR BACKWATERS; 2000-8000 FT ELEVATION  
**Micro:** REQUIRES DENSE WILLOW THICKETS FOR NESTING/ROOSTING. LOW, EXPOSED BRANCHES ARE USED FOR SINGING POSTS/HUNTING PERCHES.

<b>Occurrence No.</b> 110	<b>Map Index:</b> 45304	<b>EO Index:</b> 45304	<b>Dates Last Seen</b>
<b>Occ Rank:</b> Fair			<b>Element:</b> 1992-06-25
<b>Origin:</b> Natural/Native occurrence			<b>Site:</b> 1992-06-25
<b>Presence:</b> Presumed Extant			
<b>Trend:</b> Unknown			<b>Record Last Updated:</b> 2001-05-02

**Quad Summary:** Martis Peak (3912031/554D)

**County Summary:** Nevada

<b>Lat/Long:</b> 39.36669° / -120.06689°	<b>Township:</b> 18N
<b>UTM:</b> Zone-10 N4361574 E752689	<b>Range:</b> 17E
<b>Radius:</b> 80 meters	<b>Section:</b> 35
<b>Elevation:</b> 5,440 ft	<b>Meridian:</b> M
<b>Mapping Precision:</b> SPECIFIC	<b>Qtr:</b> NW
<b>Symbol Type:</b> POINT	

**Location:** ISLAND IN THE MIDDLE OF THE TRUCKEE RIVER, 0.5 MILE EAST OF HIRSCHDALE

**Ecological:** HABITAT CONSISTS OF AN ISLAND VEGETATED BY WILLOW SCRUB.

**General:** ONE SINGING ADULT OBSERVED ON 25 JUN 1992; BREEDING TERRITORY NOT LARGE ENOUGH TO ACCOMODATE MORE THAN ONE PAIR.

**Owner/Manager:** UNKNOWN

<b>Occurrence No.</b> 111	<b>Map Index:</b> 45305	<b>EO Index:</b> 45305	<b>Dates Last Seen</b>
<b>Occ Rank:</b> Good			<b>Element:</b> 2004-08-03
<b>Origin:</b> Natural/Native occurrence			<b>Site:</b> 2004-08-03
<b>Presence:</b> Presumed Extant			
<b>Trend:</b> Unknown			<b>Record Last Updated:</b> 2006-08-15

**Quad Summary:** Truckee (3912032/554C), Martis Peak (3912031/554D)

**County Summary:** Placer

<b>Lat/Long:</b> 39.29743° / -120.13228°	<b>Township:</b> 17N
<b>UTM:</b> Zone-10 N4353705 E747298	<b>Range:</b> 17E
<b>Area:</b>	<b>Section:</b> 30
<b>Elevation:</b> 5,840 ft	<b>Meridian:</b> M
<b>Mapping Precision:</b> NON-SPECIFIC	<b>Qtr:</b> NW
<b>Symbol Type:</b> POLYGON	

**Location:** MARTIS CREEK, APPROX 0.5 MILE UPSTREAM FROM THE HIGHWAY 267, MARTIS CREEK LAKE NATIONAL RECREATION AREA

**Location Detail:** 1999: DETECTED NEAR TRANSMISSION LINE CROSSING.

**Ecological:** HABITAT CONSISTS OF WILLOW SCRUB RIPARIAN INCLUDING SALIX LEMMONII & S. GEYERIANA. SHALLOW GRADIENT STREAM BORDERED IN MOST CASE BY A BAND OF WILLOWS APPROX 15-20 FEET WIDE. BANKS OF STREAM STEEP IN SOME PLACE WITH EVIDENCE OF EROSION.

**Threat:** DOG USE VERY COMMON, SEVERAL TO MANY PER DAY COME THROUGH MAIN HABITAT. EROSION/DESTABILIZATION OF WILLOWS. COWBIRDS.

**General:** 1 SINGING ADULT OBSERVED ON 28 JUL 1996. 2 ADULTS OBSERVED BY ANOTHER OBSERVER ON 26 JUN 1999. 2 BREEDING ADULTS DETECTED 3 JUL 2004. 4 ADULTS OBSERVED FROM 2 JUN TO 3 AUG 2004; 2 SINGLE MALES, 1 PAIR NEST UNSUCCESSFUL.

**Owner/Manager:** DOD-COE

# **Oncorhynchus clarkii henshawi**

Lahontan cutthroat trout

Element Code: AFCHA02081

Status	NDDB Element Ranks	Other Lists
<b>Federal:</b> Threatened	<b>Global:</b> G4T3	<b>CDFG Status:</b>
<b>State:</b> None	<b>State:</b> S2	

## **Habitat Associations**

**General:** HISTORICALLY IN ALL ACCESSIBLE COLD WATERS OF THE LAHONTON BASIN IN A WIDE VARIETY OF WATER TEMPS & CONDITIONS.

**Micro:** CANNOT TOLERATE PRESENCE OF OTHER SALMONIDS. REQUIRES GRAVEL RIFFLES IN STREAMS FOR SPAWNING.

<b>Occurrence No.</b> 10	<b>Map Index:</b> 14236	<b>EO Index:</b> 14870	<b>Dates Last Seen</b>
<b>Occ Rank:</b> None			<b>Element:</b> 2001-XX-XX
<b>Origin:</b> Natural/Native occurrence			<b>Site:</b> 2001-XX-XX
<b>Presence:</b> Extirpated			
<b>Trend:</b> Unknown			<b>Record Last Updated:</b> 2001-04-09

**Quad Summary:** Martis Peak (3912031/554D)

**County Summary:** Placer

<b>Lat/Long:</b> 39.30707° / -120.10021°	<b>Township:</b> 16N
<b>UTM:</b> Zone-10 N4354863 E750030	<b>Range:</b> 17E
<b>Area:</b> 107.7 acres	<b>Section:</b> 20
<b>Elevation:</b> 5,820 ft	<b>Meridian:</b> M
<b>Mapping Precision:</b> SPECIFIC	<b>Qtr:</b> N
<b>Symbol Type:</b> POLYGON	

**Location:** E MARTIS CR FROM 0.25 MI S OF OLD JOERGER RANCH TO 0.75 MI W OF THE CONFLUENCE OF MONTE CARLO CR, PLACER COUNTY.

**Location Detail:** ISOLATED POPULATION PRESENT ABOVE BEAVER PONDS. POSSIBLY RAINBOW TROUT NOT CUTTHROAT NEEDS TO BE RECHECKED.

**Ecological:** RIVERINE

**General:** POPULATION KNOWN TO BE PRESENT IN 1980 AND 1993. BY 2001 PURE POPULATION ELIMINATED. A FEW HYBRIDS MAY STILL BE PRESENT, MOSTLY BROWN, RAINBOW AND BROOK TROUT.

**Owner/Manager:** USFS-TAHOE NF

<b>Occurrence No.</b> 11	<b>Map Index:</b> 14224	<b>EO Index:</b> 14872	<b>Dates Last Seen</b>
<b>Occ Rank:</b> None			<b>Element:</b> 1980-XX-XX
<b>Origin:</b> Natural/Native occurrence			<b>Site:</b> 1980-XX-XX
<b>Presence:</b> Extirpated			
<b>Trend:</b> Unknown			<b>Record Last Updated:</b> 1996-01-25

**Quad Summary:** Martis Peak (3912031/554D)

**County Summary:** Placer

<b>Lat/Long:</b> 39.29497° / -120.11646°	<b>Township:</b> 17N
<b>UTM:</b> Zone-10 N4353475 E748671	<b>Range:</b> 17E
<b>Area:</b> 138.4 acres	<b>Section:</b> 20
<b>Elevation:</b> 6,120 ft	<b>Meridian:</b> M
<b>Mapping Precision:</b> SPECIFIC	<b>Qtr:</b> SE
<b>Symbol Type:</b> POLYGON	

**Location:** MIDDLE MARTIS CREEK, ALONG HIGHWAY 267 APPROXIMATELY 3 MILES FROM TRUCKEE, PLACER COUNTY.

**General:** ACCORDING TO E. GERTUNG FISH ARE NO LONGER PRESENT. UNKNOWN WHEN THEY DISAPPEARED.

**Owner/Manager:** USFS-TAHOE NF

<b>Occurrence No.</b> 13	<b>Map Index:</b> 14128	<b>EO Index:</b> 14871	<b>Dates Last Seen</b>
<b>Occ Rank:</b> None			<b>Element:</b> 1983-XX-XX
<b>Origin:</b> Introduced Back into Native Hab./Range			<b>Site:</b> 1993-XX-XX
<b>Presence:</b> Extirpated			
<b>Trend:</b> Decreasing			<b>Record Last Updated:</b> 1996-01-11

**Quad Summary:** Martis Peak (3912031/554D), Truckee (3912032/554C)

**County Summary:** Placer

<b>Lat/Long:</b> 39.28543° / -120.15341°	<b>Township:</b> 17N
<b>UTM:</b> Zone-10 N4352315 E745517	<b>Range:</b> 16E
<b>Area:</b> 293.3 acres	<b>Section:</b> 36
<b>Elevation:</b> 6,000 ft	<b>Meridian:</b> M
<b>Mapping Precision:</b> SPECIFIC	<b>Qtr:</b> NW
<b>Symbol Type:</b> POLYGON	

**Location:** MARTIS CREEK (TRIBUTARY TO TRUCKEE RIVER), NEAR TRUCKEE, PLACER COUNTY.

**Ecological:** REINTRODUCED POPULATION; PRESENCE CONFIRMED BY J. DEINSTADT IN 1983; POP BECOMING INTROGRESSED W/RAINBOW TROUT; BROOK & BROWN TROUT, GREEN SUNFISH, & NATIVE SPP ALSO PRESENT. BY 1993 POPULATION HAD BEEN EXTIRPATED.

**Threat:** POTENTIAL DEVELOPMENT OF AREA; LIVESTOCK AND HUMAN ACTIVITIES IMPACTING SITE.

**General:** RESERVOIR AND DAM DOWNSTREAM. AREA TREATED IN 1977.

**Owner/Manager:** USFS-TAHOE NF, PVT

# Rorippa subumbellata

Tahoe yellow cress

Element Code: PDBRA270M0

Status	NDDB Element Ranks	Other Lists
Federal: Candidate	Global: G1	CNPS List: 1B.1
State: Endangered	State: S1.1	

## Habitat Associations

General: LOWER MONTANE CONIFEROUS FOREST, MEADOWS AND SEEPS.

Micro: SANDY BEACHES, ON LAKESIDE MARGINS AND IN RIPARIAN COMMUNITIES; ON DECOMPOSED GRANITE SAND. 1885-1900(2395)M.

Occurrence No. 20	Map Index: 14324	EO Index: 13408	Dates Last Seen
Occ Rank: None			Element: 1949-XX-XX
Origin: Natural/Native occurrence			Site: 2000-XX-XX
Presence: Possibly Extirpated			
Trend: Unknown			Record Last Updated: 2000-03-03

Quad Summary: Kings Beach (3912021/538A)

County Summary: Placer

Lat/Long: 39.23425° / -120.02056°	Township: 16N
UTM: Zone-10 N4347003 E757165	Range: 17E
Area:	Section: 13
Elevation: 6,230 ft	Meridian: M
Mapping Precision: NON-SPECIFIC	Qtr: XX
Symbol Type: POLYGON	

Location: MARSH BETWEEN SANDY BEACH AND AGATE BAY, NORTH END OF LAKE TAHOE.

Location Detail: EXACT LOCATION UNKNOWN; MAPPED AS A NON-SPECIFIC POLYGON ALONG THE NORTH SHORE OF LAKE TAHOE, BETWEEN FLICK POINT AND BROCKWAY.

Ecological: MARSH.

General: RORIPPA SUBUMBELLATA LAST SEEN HERE IN 1949 BY NOBS AND SMITH. VICINITY HAS BEEN SEARCHED SEVERAL TIMES BETWEEN 1979 AND 2000 BUT NO PLANTS FOUND. PROPERTY OWNER (JANE LILLY-HERSHEY) INTERESTED IN HAVING PLANTS REINTRODUCED AT THIS SITE.

Owner/Manager: UNKNOWN

Occurrence No. 31	Map Index: 43912	EO Index: 43912	Dates Last Seen
Occ Rank: None			Element: 1994-XX-XX
Origin: Natural/Native occurrence			Site: 1999-09-01
Presence: Possibly Extirpated			
Trend: Unknown			Record Last Updated: 2000-09-27

Quad Summary: Kings Beach (3912021/538A)

County Summary: Placer

Lat/Long: 39.18651° / -120.09533°	Township: 16N
UTM: Zone-10 N4341494 E750880	Range: 17E
Radius: 1/5 mile	Section: 33
Elevation: 6,230 ft	Meridian: M
Mapping Precision: NON-SPECIFIC	Qtr: XX
Symbol Type: POINT	

Location: DOLLAR POINT, LAKE TAHOE.

General: PLANTS SEEN IN 1993-1994, NOT SEEN 1995-2000.

Owner/Manager: UNKNOWN



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

Nevada Fish and Wildlife Office

1340 Financial Blvd., Suite 234

Reno, Nevada 89502

Ph: (775) 861-6300 ~ Fax: (775) 861-6301



December 12, 2008  
File No. 2009-SL-0074

Mr. Garth Alling  
Hauge Brueck Associates  
310 Dorla Court, Suite 209  
Zephyr Cove, Nevada 89448

Dear Mr. Alling:


Subject: Species List Request for the Boulder Bay Project, Washoe and Carson City Counties, Nevada

This responds to your letter received on December 4, 2008 requesting a species list for the Boulder Bay Project in Washoe and Carson City Counties, Nevada. To the best of our knowledge, no listed or proposed species occur in the subject project area; however, the following is a list of candidate species which may occur in the subject project area:

- Fisher (*Martes pennanti*) (West Coast DPS), candidate
- Mountain yellow-legged frog (*Rana muscosa*) (Sierra Nevada Distinct Population Segment), candidate
- Tahoe yellow cress (*Rorippa subumbellata*), candidate

This list fulfills the requirement of the Fish and Wildlife Service (Service) to provide information on listed species pursuant to section 7(c) of the Endangered Species Act of 1973, as amended (Act), for projects that are authorized, funded, or carried out by a Federal agency. Candidate species receive no legal protection under the Act, but could be proposed for listing in the near future. Consideration of these species during project planning may assist species conservation efforts and may prevent the need for future listing actions.

We note that the bald eagle (*Haliaeetus leucocephalus*) may occur in the project area, and could be affected by it. On August 8, 2007, the bald eagle was removed from the Federal list of threatened and endangered species (72 FR37346). Bald Eagles will continue to be protected under the Bald and Golden Eagle Protection Act (BGEPA) of 1940, as amended (16 U.S.C. 668-668d) and the Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 *et seq.*).

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Both of these laws prohibit killing, selling or otherwise harming eagles, their nests, or their eggs. The bald eagle remains listed as endangered in the State of Nevada. Please also coordinate with state wildlife agencies to ensure compliance with state regulations regarding the bald eagle.

The Service has developed the National Bald Eagle Management Guidelines (Guidelines) to advise landowners, land managers, and others when and under what circumstance the protective provisions of the BGEPA may apply to their activities. These documents and more information about the bald eagle are available on the Service's website at <http://www.fws.gov/migratorybirds/baldeagle.htm>. A variety of human activities can potentially interfere with bald eagles, affecting their ability to forage, nest, roost, breed, or raise young. The Guidelines are intended to help people minimize such impacts to bald eagles, particularly where they may constitute "disturbance", which is prohibited by the BGEPA. The Service has developed final regulations providing two mechanisms which authorize "take" under the BGEPA for those currently authorized under the Act. These final regulations are available on the Service's website stated above. Additional regulations and Environmental Assessment regarding permitting take of eagles in accordance with the BGEPA are expected later this year.

We are concerned that the project may impact the Tahoe yellow cress (*Rorippa subumbellata*), a species currently classified as a candidate for listing under the Act, and listed as endangered by the State of California and as critically endangered by the State of Nevada. A conservation strategy and agreement (<http://www.fws.gov/nevada>) has been developed to guide the conservation and management of Tahoe yellow cress and its habitat, which occurs in the shorezone of Lake Tahoe. Successful implementation of this strategy should preclude the need to list the species under the Act. Therefore, we recommend that all projects under your purview be assessed for potential impacts to existing populations and suitable habitat and that such projects do not inhibit long-term conservation efforts or the survival of Tahoe yellow cress.

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

For a list of sensitive species by county, visit Heritage's website at [www.heritage.nv.gov](http://www.heritage.nv.gov). For a specific list of sensitive species that may occur in the project area, you can obtain a data request form from the website or by contacting Heritage at 901 South Stewart Street, Suite 5002, Carson City, Nevada 89701-5245, (775) 684-2900. Please indicate on the form that your request is being obtained as part of your coordination with the Service under the Act. During your project



Mr. Garth Alling

File No. 2009-SL-0074

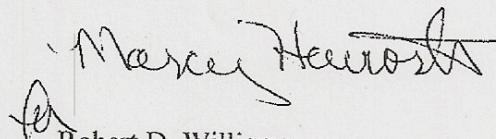
analysis, if you obtain new information or data for any Nevada sensitive species, we request that you provide the information to Heritage at the above address. Furthermore, certain species of fish and wildlife are classified as protected by the State of Nevada (see <http://www.leg.state.nv.us/NAC/NAC-503.html>). Before a person can hunt, take, or possess any parts of wildlife species classified as protected, they must first obtain the appropriate license, permit, or written authorization from the Nevada Department of Wildlife (visit <http://www.ndow.org> or call 775-688-1500).

Because wetlands, springs, or streams are known to occur in the vicinity of the project areas, we ask that you be aware of potential impacts project activities may have on these habitats. Discharge of fill material into wetlands or waters of the United States is regulated by the U.S. Army Corps of Engineers (Corps) pursuant to section 404 of the Clean Water Act of 1972, as amended. We recommend you contact the Corps' regulatory Section 300 Booth Street, Room 2103, Reno, Nevada 89509, (775) 784-5304, regarding the possible need for a permit.

Based on the Service's conservation responsibilities and management authority for migratory birds under the MBTA we are concerned about potential impacts the proposed project may have on migratory birds in the area. Given these concerns, we recommend that any land clearing or other surface disturbance associated with proposed actions within the project area be timed to avoid potential destruction of bird nests or young, or birds that breed in the area. Such destruction may be in violation of the MBTA. Under the MBTA, nests with eggs or young of migratory birds may not be harmed, nor may migratory birds be killed. Therefore, we recommend land clearing be conducted outside the avian breeding season. If this is not feasible, we recommend a qualified biologist survey the area prior to land clearing. If nests are located, or if other evidence of nesting (*i.e.*, mated pairs, territorial defense, carrying nesting material, transporting food) is observed, a protective buffer (the size depending on the habitat requirements of the species) should be delineated and the entire area avoided to prevent destruction or disturbance to nests until they are no longer active.

Please reference File No. 2009-SL-0074 in future correspondence concerning this species list. If you have any questions regarding this correspondence or require additional information, please contact me or James Harter at (775) 861-6300.

Sincerely,

  
Robert D. Williams  
Field Supervisor



ALLEN BIAGGI  
Director

Department of Conservation  
and Natural Resources

JENNIFER E. NEWMARK  
Administrator

JIM GIBBONS  
Governor



Nevada Natural Heritage Program  
Richard H. Bryan Building  
901 S. Stewart Street, suite 5002  
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STATE OF NEVADA  
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
**Nevada Natural Heritage Program**  
<http://heritage.nv.gov>

29 December 2008

Garth Alling  
Hauge Brueck Associates, LLC  
P.O. Box 10291  
Zephyr Cove, NV 89448

RE: Data request received 15 December 2008

Dear Mr. Alling:

We are pleased to provide the information you requested on endangered, threatened, candidate, and/or at risk plant and animal taxa recorded within or near the Boulder Bay Resort project. We searched our database and maps for the following, a five kilometer radius around:

Township 16N Range 18E Section 19

There are no at risk taxa recorded within the given area. However, habitat may be available for, the Tahoe yellowcress, *Rorippa subumbellata*, a Federal Candidate Taxon, and the Sierra Nevada snowshoe hare, *Lepus americanus tahoensis*, a Taxon determined to be Vulnerable by the Nevada Natural Heritage Program. We do not have complete data on various raptors that may also occur in the area; for more information contact Ralph Phenix, Nevada Division of Wildlife at (775) 688-1565. Please note that all cacti, yuccas, and Christmas trees are protected by Nevada state law (NRS 527.060-.120), including species not tracked by this office.

Please note that our data are dependent on the research and observations of many individuals and organizations, and in most cases are not the result of comprehensive or site-specific field surveys. Natural Heritage reports should never be regarded as final statements on the taxa or areas being considered, nor should they be substituted for on-site surveys required for environmental assessments.

Thank you for checking with our program. Please contact us for additional information or further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Eric S. Miskow".

Eric S. Miskow  
Biologist III/Data Manager