

From: Marvin Tebeau
Sent: Monday, November 07, 2011 3:43 PM
To: Lynn Zonge
Subject: FW: e-Care easement request (UNCLASSIFIED)

Kelli response. I'll call her about the "tie-on" and the COE for clarification.

-----Original Message-----

From: King, Kelli J Mrs CIV USA AMC [mailto:Kelli.King@us.army.mil]
Sent: Monday, November 07, 2011 7:50 AM
To: Marvin Tebeau
Subject: RE: e-Care easement request (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

Marvin,

I did review the EA, and I had Safety/Environmental Director as well.
It appeared sufficient for the area at HWAD.

Did the CoE get in touch with you? We are having difficulty getting the legal descriptions of the tie-on. Do you happen to have them?

Thanks

Kelli

-----Original Message-----

From: Marvin Tebeau [mailto:marvin@rci-nv.com]
Sent: Thursday, November 03, 2011 10:27 AM
To: King, Kelli J Mrs CIV USA AMC
Cc: Lynn Zonge
Subject: RE: e-Care easement request (UNCLASSIFIED)

Hey Kelli

Have you had an opportunity to review the EA??? Any comments or concerns??? We are working to address BLM, NTIA and BOR comments received and complete the Draft EA. The BLM has requested the Draft be completed by 11-14-11 and issuance of the FONSI by the end of 2011. The schedule is compressed due the conditions of the ARRA grant.

THX
Marvin

-----Original Message-----

From: King, Kelli J Mrs CIV USA AMC [mailto:Kelli.King@us.army.mil]
Sent: Thursday, October 06, 2011 7:24 AM
To: Marvin Tebeau

Subject: RE: e-Care easement request (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: FOUO

Marvin,

I received the CD. I have not had a chance to open it. I will review it and get back with you. Did you send the CoE one as well. If not that is fine, we will provide them all the documentation that is required for the execution of the easement.

Thanks

Kelli

-----Original Message-----

From: Marvin Tebeau [mailto:marvin@rci-nv.com]

Sent: Wednesday, October 05, 2011 9:29 AM

To: King, Kelli J Mrs CIV USA AMC

Cc: Lynn Zonge; Tom Lane

Subject: e-Care easement request

Hey Kelli

I mailed a CD of the admin Draft EA to you on Friday. Please let me know when you receive it. Does the e-Care easement request , Nv Energy letter and draft EA provide you and the ACOE the info needed to begin preparing the Report of Availability??? I'm hopeful this information demonstrates the viability of the project and need for the easement across Depot land. Please let me know if any additional info is needed.

THX

Marvin

<blockedhttp://www.rci-nv.com/>

Classification: UNCLASSIFIED

Caveats: FOUO

Classification: UNCLASSIFIED

Caveats: FOUO



STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

JIM GIBBONS
Governor

May 20, 2010

SUSAN MARTINOVICH, P.E., *Director*

In Reply Refer to:

Mr. Bill Welch
President/Chief Executive Officer
Nevada Hospital Association
5250 Neil Road, Suite 302
Reno, NV 89502

Project Name: Nevada Hospital Association Broadband Telemedicine Initiative

Dear Mr. Welch:

The Nevada Department of Transportation (NDOT) is in support of the Nevada Hospital Association Broadband Telemedicine Initiative Mid Mile Fiber Project. The improvement and creation of network connectivity in these rural underserved and unserved areas will provide direct improvement to the traveling public and to public safety. This is an area that, while rural, has a high level of importance on the transportation network to Nevada and the Nation.

The State of Nevada's public safety trunked radio system is owned and operated by NDOT. The public safety radio system is utilized by over 12,000 radios with 38 first responder agencies (i.e. Nevada Highway Patrol, Pyramid Lake Paiute Tribe, Nevada Fire Marshal, Health Division, etc.). The system is a statewide 800 MHz trunked radio system with over 90 radio communication sites. The improved connectivity provided by this project would enhance the radio and dispatch capabilities during normal operations and in the case of emergencies or disasters through improved band width, redundancy, and the creation of broadband in some areas.

For intelligent transportation systems (ITS) the ability to provide real time information on road conditions to NDOT operations and to the traveling public would be possible with this project. The ITS devices supported include such items as roadway weather systems, message signs, chain control signs, dust warning signs, highway advisory radios and cameras.

The NDOT endorses the approval of the Nevada Hospital Association Broadband Telemedicine Initiative Project.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert Chisel".

Robert Chisel
Assistant Director, Administration



BRIAN SANDOVAL
Governor

STATE OF NEVADA
DEPARTMENT OF WILDLIFE

1100 Valley Road
Reno, Nevada 89512
(775) 688-1500 • Fax (775) 688-1595

KENNETH E. MAYER
Director

RICHARD L. HASKINS, II
Deputy Director

PATRICK O. CATES
Deputy Director

Lynn Zonge
Hydrologist / Fluvial Geomorphologist
Resource Concepts, Inc.
340 N. Minnesota St.
Carson City, Nevada 89703

August 31, 2011

Re: Nevada Hospital Association Fiber Optic Project

Dear Ms. Zonge:

The Nevada Department of Wildlife (NDOW) appreciates this opportunity for responding to your inquiry regarding wildlife resources relevant to the proposed Nevada Hospital Association Fiber Optic Project (Project). NDOW's goal and responsibility is to lend its expertise prior to project implementation in a reasonably timely fashion. Presently, our knowledge about the Project is limited to worksite location descriptions in Clark, Douglas, Elko, Esmeralda, Lyon, Mineral, and Nye Counties, Nevada. Based upon our phone conversation on August 9, 2011, we understand that activities will occur within existing utility Rights-of-Ways (ROWs) and utilize existing infrastructure (e.g. access roads and poles) to string fiber optic cable. Prefacing this response is our complete agreement with the U.S. Fish and Wildlife Service's July 26, 2011 (File No. 20 11-SL-0342) letter (enclosed) for species and habitats presented in that letter making further discussion unnecessary. Otherwise and until additional descriptions detailing construction methods and schedules come to light, NDOW's recommended mitigation measures should be considered preliminary for avoiding and/or lessening anticipated adverse consequences related Project activities.

In assembling species accounts, a query analysis was performed using the best available data from NDOW's databases of wildlife sight records, commercial reptile collections, scientific collections, raptor nest sites and ranges, greater sage-grouse leks and habitat, and big game distributions. No warranty is made by the NDOW as to the accuracy, reliability, or completeness of the data for individual use or aggregate use with other data. However, these data should be considered **sensitive** and may contain information regarding the location of vulnerable or sensitive wildlife species or related resources. All appropriate measures should be taken to ensure that the use of this data is strictly limited to serve the needs of the Project as described. Abuse of this information has the potential to adversely affect the existing ecological status of Nevada's wildlife resources and could be cause for the denial of future data requests.

To adequately provide an account of wildlife resources in the vicinity of the proposed Project, an area of interest that included a 3-mile buffer around or on either side of the Project's centerline was constructed based on information provided by you via email on August 11, 2011. Wildlife resource data was queried from the NDOW databases based on these constructed areas of interest. Because the number of species potentially affected could number in the hundreds, species presented in this information response were limited to wildlife of conservation priority* and big game**. As an aid in coordinating this response to your data request, the analysis results have been reported respectful of NDOW's administrative regions. NDOW's three administrative regions (Eastern, Southern, Western) are defined using combined areas of counties identified; hence, the regions are delineated by:

Eastern Region: Elko, Eureka, Lander and White Pine counties.

Southern Region: Clark, Esmeralda, Lincoln and Nye counties.

Western Region: Carson, Churchill, Douglas, Humboldt, Lyon, Mineral, Pershing, Storey, and Washoe counties.

* 2006 Nevada Wildlife Action Plan; online at <http://www.ndow.org/wild/conservation/cwcs/index.shtm#plan>

** NAC 502.020; online at <http://leg.state.nv.us/NAC/NAC-502.html#NAC502Sec020>

NDOW Eastern Region

Big Game – Occupied mule deer distribution exists entirely throughout this portion of the Project area and 3-mile buffer vicinity. Mule deer are a Nevada species of conservation priority. Rocky Mountain elk distribution exists outside of the Project area in the northwestern and western portions of the 3-mile buffer area. Pronghorn antelope distribution exists in the northwestern and southeastern portions of the 3-mile buffer area and along the Project area paralleling State Highway 227. Please refer to the attached maps for details regarding these big game species distributions relative to the proposed project area. The mountain lion is expected at minimum to occasionally frequent the area within the 3-mile buffer area. There are no known black bear or bighorn sheep distributions in the vicinity of the *Elko* portion of the Project area.

Greater Sage-Grouse – is a candidate for protection under the Endangered Species Act of 1973, as amended. Greater sage-grouse nesting habitat exists outside of the *Elko* portion of the Project area; in the southeastern portion of the 3-mile buffer area. Sage-grouse summer distribution exists outside of the Project area in the northwestern and eastern portions of the 3-mile buffer area (Please refer to the attached summer and winter habitat maps) There are no known greater sage-grouse core breeding habitat or winter distributions, and no lek sites in the vicinity of the Project area. *Nevada Energy and Infrastructure Development Standards to Conserve Greater Sage-Grouse Populations and Their Habitats* is online at http://www.ndow.org/wild/conservation/sg/resources/nevada_energy_standards_for_sage-grouse_2010.pdf.

Migratory Birds - Migratory birds, inclusive of all raptors, are species protected under the Migratory Bird Treaty Act, as amended (MBTA) (16 U.S.C. §§ 703 et seq., and are listed in 50 C.F.R. § 10.13). Approximately 235 species of 282 frequenting Nevada with some regularity also nest here. Sixty-eight (68) species are Nevada species of conservation priority. NDOW's database records of migratory birds of conservation priority in the Project area and vicinity are limited to: Arizona Bell's vireo, Franklin's gull, and willet.

Raptors – Geographic distribution of various species of raptors, which use diverse or specialized habitat types, are expected to reside in or seasonally frequent the Project and 3-mile buffer areas. These include the American kestrel, barn owl, burrowing owl, Cooper's hawk, ferruginous hawk, golden eagle, great horned owl, long-eared owl, merlin, northern goshawk, northern harrier, northern saw-whet owl, osprey, peregrine falcon, prairie falcon, red-tailed hawk, rough-legged hawk, sharp-shinned hawk, short-eared owl, Swainson's hawk, turkey vulture, and western screech owl. Additional to MBTA and State of Nevada protections, many are also BLM sensitive species. Direct observations in the vicinity of the Project area include that for American kestrel, barn owl, ferruginous hawk, great horned owl, long-eared owl, merlin, northern saw-whet owl, osprey, prairie falcon, red-tailed hawk, rough-legged hawk, sharp-shinned hawk, and turkey vulture. A great horned owl nest was reported from Township 34 North, Range 55 East, Section 11. This nest was considered active as of 2001.

Per the *Interim Golden Eagle Technical Guidance: Inventory and Monitoring Protocols; and Other Recommendations in Support of Golden Eagle Management and Permit Issuance* (United States Fish and Wildlife Service 2010) we increased the database query for bald and golden eagle nest site locations to within 10 miles of the proposed Project area. The database registered 17 golden eagle nests and no (0) bald eagle existing within 10-miles of the *Elko* Project area.

Species	Township/Range/Section	Species	Township/Range/Section
golden eagle	21 0320N 0550E 004	golden eagle	21 0330N 0550E 019
golden eagle	21 0330N 0540E 014	golden eagle	21 0330N 0550E 019
golden eagle	21 0330N 0540E 014	golden eagle	21 0350N 0540E 014
golden eagle	21 0330N 0540E 024	golden eagle	21 0350N 0540E 031
golden eagle	21 0330N 0540E 024	golden eagle	21 0350N 0550E 017
golden eagle	21 0330N 0540E 024	golden eagle	21 0350N 0560E 012

golden eagle	21 0330N 0550E 003	golden eagle	21 0350N 0560E 036
golden eagle	21 0330N 0550E 004	golden eagle	21 0360N 0550E 026
golden eagle	21 0330N 0550E 004		

Other Wildlife - Twenty-four other species were noted from the NDOW database. Species listed in bold type are State of Nevada species of conservation priority. Additional conservation status is indicated by asterisk(s); i.e.

* BLM-Nevada sensitive species

** Protected and listed as *threatened* under federal Endangered Species Act of 1973, as amended

<u>FISH</u>	<u>BIRDS</u>	<u>Mammals cont.</u>
bluegill	California quail	silver-haired bat*
chiselmouth	chukar	western pipistrelle*
Lahontan cutthroat trout**	gray partridge	western small-footed myotis*
largescale sucker	ring-necked pheasant	common muskrat
mountain sucker	ruffed grouse	North American river otter*
northern pikeminnow		striped skunk
reidside shiner	<u>Mammals</u>	coyote
	big brown bat*	cottontail
<u>REPTILES</u>	bobcat	
terrestrial gartersnake	Brazilian free-tailed bat*	

NDOW Southern Region

Big Game – Occupied Nelson (desert) bighorn sheep and mule deer distributions exist in scattered mountain ranges along the fiber optic alignments from Clark County to Esmeralda counties. Elk distribution is coincident with the Spring Mountains; bounded on both sides by the fiber optic routes. Pronghorn antelope distribution exists along the portions of the fiber optic alignment within Esmeralda and northwestern Nye Counties. Please refer to the attached maps for details regarding these big game species distributions relative to the proposed project area in the NDOW Southern Region. The mountain lion is likely to occur along the majority of the proposed alignments.

Greater Sage-Grouse – There are no known greater sage-grouse distributions or lek sites in the vicinity of the fiber optic project area within NDOW's Southern Region (see distribution map).

Migratory Birds - Migratory birds, inclusive of all raptors, are species protected under the Migratory Bird Treaty Act, as amended (MBTA) (16 U.S.C. §§ 703 et seq., and are listed in 50 C.F.R. § 10.13). Approximately 235 species of 282 frequenting Nevada with some regularity also nest here. In all of Nevada, 68 migratory species are birds of conservation priority. Non-raptor migratory bird records in the Project area or vicinity associated with NDOW's Southern Region are presented in the follow list. Twenty-seven species appearing below in bold type are Nevada species of conservation priority. Additional conservation status is indicated by asterisk(s); i.e.

* BLM-Nevada sensitive species

** Protected and listed as *threatened* under federal Endangered Species Act of 1973, as amended

*** Candidate for protection under federal Endangered Species Act of 1973, as amended

Abert's towhee	Costa's hummingbird	Phainopepla*
American avocet	dark-eyed junco	pine siskin
American coot	dusky flycatcher	pinyon jay*
American goldfinch	eared grebe	plumbeous vireo
American robin	Forster's tern	red-breasted nuthatch
Anna's hummingbird	fox sparrow	red-breasted sapsucker

Arizona Bell's vireo

Arctic loon
 ash-throated flycatcher
 Baltimore oriole
 band-tailed pigeon
 Bewick's wren
black phoebe
 black-and-white warbler
 black-chinned hummingbird
black-chinned sparrow
 black-headed grosbeak
black-necked stilt
 black-tailed gnatcatcher
 black-throated gray warbler
 black-throated sparrow
 blue grosbeak
 blue-gray gnatcatcher
 boat-tailed grackle
 Brewer's blackbird
Brewer's sparrow
 broad-tailed hummingbird
 brown pelican
 Bullock's oriole
 bushtit
 cactus wren
 Canada warbler
 canyon towhee
 canyon wren
 Cassin's kingbird
 Cassin's vireo
 cattle egret
 cedar waxwing
 chestnut-sided warbler
 chipping sparrow
 common merganser
 common moorhen
 common nighthawk
 common poorwill
 common raven
 common yellowthroat
 cordilleran flycatcher

gray flycatcher
 great blue heron
 greater flamingo
 greater roadrunner
greater sandhill crane*
 great-tailed grackle
 green heron
 green-tailed towhee
 Hammond's flycatcher
 hermit thrush
 hooded warbler
 horned lark
 house finch
 house wren
 Inca dove
 indigo bunting
 killdeer
 lark sparrow
 lazuli bunting
Le Conte's thrasher*
 least flycatcher
 lesser goldfinch
 lesser scaup
 Lincoln's sparrow
loggerhead shrike*
long-billed curlew*
long-billed dowitcher
Lucy's warbler*
 MacGillivray's warbler
 mallard
 marsh wren
 mourning dove
 Nashville warbler
 northern mockingbird
 northern parula
 northern rough-winged swallow
 northern waterthrush
 oak titmouse
 orange-crowned warbler
 ovenbird
 Pacific-slope flycatcher

red-eyed vireo
redhead
 red-winged blackbird
 ring-necked duck
 rock wren
 ruby-crowned kinglet
sage sparrow
 savannah sparrow
 Say's phoebe
Scott's oriole
 song sparrow
southwestern willow flycatcher**
 spotted towhee
 Swainson's thrush
 Tennessee warbler
 Townsend's solitaire
 Townsend's warbler
 varied thrush
verdin
 vesper sparrow*
Virginia's warbler
 warbling vireo
western grebe
 western gull
 western scrub-jay
 western kingbird
 western tanager
 western wood-pewee
western yellow-billed cuckoo***
 white-crowned sparrow
white-faced ibis
 white-throated sparrow
 white-winged dove
 Wilson's phalarope
 Wilson's warbler
 yellow warbler
 yellow-breasted chat*
 yellow-headed blackbird
 Yellow-rumped warbler
Yuma clapper rail**

Raptors – Various species of raptors, which use diverse habitat types, are known to reside in the vicinity of the project area within the NDOW Southern Region. American kestrel, bald eagle, barn owl, burrowing owl, Cooper's hawk, ferruginous hawk, golden eagle, great horned owl, long-eared owl, merlin, northern goshawk, northern harrier, northern saw-whet owl, osprey, peregrine falcon, prairie falcon, red-tailed hawk, rough-legged hawk, sharp-shinned hawk, short-eared owl, Swainson's hawk, turkey vulture, and western screech owl have distribution ranges that include the project area and 3-mile buffer area. Furthermore, American kestrel, bald eagle, barn owl, black-shoulder kite, burrowing owl, California

condor, Cooper's hawk, golden eagle, great horned owl, Harris's hawk, long-eared owl, northern harrier, northern saw-whet owl, osprey, peregrine falcon, prairie falcon, red-shouldered hawk, red-tailed hawk, rough-legged hawk, sharp-shinned hawk, Swainson's hawk, turkey vulture, and white-tailed kite have been directly observed in the vicinity of the project area. Additional to MBTA and State of Nevada protections, many are also BLM sensitive species. For raptor species other than eagles, 21 nest sites were identified in the vicinity of the Project area.

Species	Township/Range/Section	Species	Township/Range/Section
burrowing owl	21 0220S 0610E 021	red-tailed hawk	21 0020S 0420E 027
Cooper's hawk	21 0220S 0590E 007	red-tailed hawk	21 0030N 0420E 036
Cooper's hawk	21 0220S 0590E 007	red-tailed hawk	21 0030N 0420E 036
peregrine falcon	21 0220S 0590E 008	red-tailed hawk	21 0040S 0430E 019
prairie falcon	21 0030N 0420E 025	red-tailed hawk	21 0190S 0530E 016
prairie falcon	21 0030N 0420E 034	red-tailed hawk	21 0220S 0570E 010
prairie falcon	21 0080S 0450E 033	red-tailed hawk	21 0220S 0590E 012
prairie falcon	21 0170S 0560E 003	red-tailed hawk	21 0220S 0590E 017
prairie falcon	21 0220S 0580E 033	red-tailed hawk	21 0230S 0580E 002
prairie falcon	21 0220S 0590E 001	white-tailed kite	21 0190S 0530E 021
prairie falcon	21 0230S 0600E 006		

Per the *Interim Golden Eagle Technical Guidance: Inventory and Monitoring Protocols; and Other Recommendations in Support of Golden Eagle Management and Permit Issuance* (United States Fish and Wildlife Service 2010) we have extended our raptor nest database analysis for bald and golden eagle nest site locations to within ten miles of the proposed project area. Twelve additional golden eagle nests and no known bald eagle nests exist within ten miles of the project area within the NDOW Southern Region.

Species	Township/Range/Section	Species	Township/Range/Section
golden eagle	21 0010N 0420E 010	golden eagle	21 0210S 0580E 009
golden eagle	21 0040N 0370E 027	golden eagle	21 0220S 0580E 022
golden eagle	21 0040N 0420E 023	golden eagle	21 0220S 0580E 033
golden eagle	21 0180S 0510E 016	golden eagle	21 0220S 0580E 033
golden eagle	21 0200S 0590E 010	golden eagle	21 0230S 0590E 032
golden eagle	21 0210S 0580E 009	golden eagle	21 0230S 0600E 007

Other Wildlife – One hundred one (101) other species were noted from the NDOW database and one aquatic species was committed as a matter of association with another. Twenty-six species listed in bold type are State of Nevada species of conservation priority. Additional conservation status is indicated by asterisk(s); i.e.

- * BLM-Nevada sensitive species
- ** Protected and listed as *threatened* under federal Endangered Species Act of 1973, as amended
- *** Protected and listed as *endangered* under federal Endangered Species Act of 1973, as amended

Mollusks

southeast Nevada pyrg
Oasis Valley springsnail*
 physa (species unknown)

Crustacea

scud (freshwater shrimp)
 red swamp crayfish

banded Gila monster*

western banded gecko
common chuckwalla*
desert iguana
 zebra-tailed lizard
Great Basin collared lizard
long-nosed leopard lizard
desert horned lizard
greater short-horned lizard*

Birds

Gambel's quail

Mammals

pallid bat*
 California myotis*
 long-eared myotis*
 long-legged myotis*
western small-footed myotis*

Fish

Ash Meadows Amargosa pupfish***

Ash Meadows speckled dace***

shortfin molly

fathead minnow

desert sucker

common carp

convict cichlid

green sunfish

Pahrump poolfish***

red shiner

razorback sucker***

black bullhead

suckermouth catfish

(Oasis Valley) speckled dace*

western mosquitofish

Amphibians

tiger salamander

Amargosa toad*

California toad

red-spotted toad

Woodhouse's toad

Pacific tree frog

bullfrog

Reptiles

spiny softshell

desert tortoise**

western fence lizard

common sagebrush lizard

yellow-backed spiny lizard

long-tailed brush lizard

side-blotched lizard

Great Basin whiptail

Panamint alligator lizard

desert night lizard

North American racer

coachwhip

striped whipsnake

Great Basin gophersnake

common kingsnake

long-nosed snake

glossy snake

western shovel-nosed snake

western patch-nosed snake

variable groundsnake

spotted leaf-nosed snake

ring-necked snake

Sierra gartersnake

northern desert nightsnake

Sonoran lyresnake

sidewinder

Great Basin rattlesnake

speckled rattlesnake

Panamint rattlesnake

western diamond-backed rattlesnake

Mojave rattlesnake

Yuma myotis*

Townsend's big-eared bat*

canyon bat (western pipistrelle)*

western yellow bat

big brown bat

Brazilian free-tailed bat*

hoary bat*

American beaver

North American deer mouse

cactus mouse

brush mouse

canyon mouse

western harvest mouse

desert woodrat

bushy-tailed woodrat

southern grasshopper mouse

desert pocket mouse

little pocket mouse

long-tailed pocket mouse

chisel-toothed kangaroo rat

desert kangaroo rat

rock squirrel

white-tailed antelope squirrel

pygmy rabbit*

gray fox

kit fox

Sierra Nevada red fox

coyote

bobcat

Please Note:

Amargosa toad – State of Nevada protected amphibian (NAC 503.075). Conservation recommendations are online at http://www.ndow.org/wild/conservation/frog/cons_prac_a_toad_4_28_2008_final_w_pic.pdf.

Desert tortoise – See U.S. Fish and Wildlife Service's letter of July 26, 2011 (File No. 20 11-SL-0342) letter. Species listed as *threatened* under the federal Endangered Species Act of 1973, as amended. Desert tortoise is a State of Nevada protected reptile, further classified as threatened (NAC 503.080).

Gila monster – is a State of Nevada Protected reptile (NAC503.080). Consult the Gila Monster Status, Identification and Reporting Protocol for Observations online at: http://www.ndow.org/wild/conservation/reptile/07Gila_Protocol.pdf

Additional conservation information for birds and bats, respectively, can be found online at the following links: <http://www.gbbo.org/projects.html> and <http://www.ndow.org/wild/conservation/#bat>.

NDOW Western Region

Big Game – Occupied bighorn sheep habitat occurs along the southeastern portion of the Project area and vicinity. Both California and Nelson (desert) bighorn are species of conservation priority; and, Nelson bighorn are a BLM sensitive species. Mule deer distributions exist in scattered ranges whereas pronghorn antelope distributions occur along the southeastern and northwestern portions of the proposed fiber optic line. Please refer to the attached maps for details regarding these big game species distributions relative to the proposed Project area. There are no known elk distributions in the vicinity of the Project area within the NDOW Western Region. The mountain lion is likely to occur along the majority of the proposed alignment.

Greater Sage-Grouse – Greater sage-grouse summer and winter distributions exist in a portion of the northern fiber optic line within the NDOW Western Region. Please refer to the attached maps for details regarding sage-grouse distributions relative to the proposed project area within the NDOW Western Region. There are no known sage-grouse core breeding or nesting habitats or lek sites in the vicinity of the Project area. *Nevada Energy and Infrastructure Development Standards to Conserve Greater Sage-Grouse Populations and Their Habitats* should be consulted and is online at http://www.ndow.org/wild/conservation/sg/resources/nevada_energy_standards_for_sage-grouse_2010.pdf.

Migratory Birds - Migratory birds, inclusive of all raptors, are species protected under the Migratory Bird Treaty Act, as amended (MBTA) (16 U.S.C. §§ 703 et seq., and are listed in 50 C.F.R. § 10.13). Approximately 235 species of 282 frequenting Nevada with some regularity also nest here. In all of Nevada, 68 migratory species are birds of conservation priority. Non-raptor migratory bird records in the Project area or vicinity associated with NDOW’s Western Region are presented in the follow list. Eight species appearing below in bold type are Nevada species of conservation priority. Additional conservation status is indicated by asterisk(s); i.e.

* BLM-Nevada sensitive species

** Candidate for protection under federal Endangered Species Act of 1973, as amended

American avocet	cliff swallow	red-breasted merganser
American bittern	fox sparrow	red-winged blackbird
American coot	great blue heron	ring-billed gull
American crow	greater roadrunner	scissor-tailed flycatcher
band-tailed pigeon	greater sandhill crane*	snowy egret
black tern*	greater white-fronted goose	surf scoter
black-and-white warbler	great-tailed grackle	tree swallow
black-crowned night-heron	green heron	trumpeter swan**
blue grosbeak	hairy woodpecker	western kingbird
bobolink*	house wren	western scrub-jay
brant	long-billed curlew*	white-faced ibis
California gull	mallard	willet
cattle egret	mourning dove	yellow-headed blackbird
cedar waxwing	northern flicker	

Raptors – Various species of raptors, which use diverse habitat types, are known to reside in the vicinity of the Project area. American kestrel, bald eagle, barn owl, burrowing owl, Cooper’s hawk, ferruginous hawk, golden eagle, great horned owl, long-eared owl, merlin, northern goshawk, northern harrier, northern saw-whet owl, osprey, peregrine falcon, prairie falcon, red-tailed hawk, rough-legged hawk, sharp-shinned hawk, short-eared owl, Swainson’s hawk, turkey vulture, and western screech owl have distribution ranges that include the project area and 3-mile buffer area. Furthermore, American kestrel, bald eagle, burrowing owl, Cooper’s hawk, ferruginous hawk, golden eagle, great horned owl, long-eared owl, northern goshawk, northern harrier, northern pygmy-owl, northern saw-whet owl, osprey, peregrine falcon, prairie falcon, red-shouldered hawk, red-tailed hawk, rough-legged hawk, short-eared owl, Swainson’s hawk, turkey vulture, and western screech-owl have been directly observed in the vicinity of

Fish

black bullhead
channel catfish
white catfish
bowcut trout
Lahontan cutthroat trout**
rainbow trout
tui chub**
Tahoe sucker
common carp
yellow perch
bluegill
white crappie
largemouth bass
smallmouth bass
white bass
striped bass
walleye
Lahontan redbreast
speckled dace
Sacramento blackfish
Sacramento perch
Railroad Valley springfish

Amphibians

California toad
bullfrog

Reptiles

western banded gecko
Great Basin collared lizard
long-nosed leopard lizard
desert horned lizard
greater short-horned lizard*
side-blotched lizard
zebra-tailed lizard
western fence lizard
yellow-backed spiny lizard
Great Basin whiptail
North American racer
coachwhip
Great Basin gophersnake
common kingsnake
long-nosed snake
western patch-nosed snake
terrestrial gartersnake
Great Basin rattlesnake

Birds

mountain quail*
Eurasian collared-dove
European starling

Mammals

North American deer mouse
piñon mouse
northern grasshopper mouse
southern grasshopper mouse
western harvest mouse
Great Basin pocket mouse
little pocket mouse
long-tailed pocket mouse
pale kangaroo mouse
desert kangaroo rat
Merriam's kangaroo rat
Ord's kangaroo rat
least chipmunk
gray fox
kit fox
Sierra Nevada red fox
coyote
bobcat

The information provided in this letter is based on data stored at our Reno Headquarters GIS Office, and does not necessarily incorporate the most up to date wildlife resource information collected in the field. Please contact the Habitat Division Supervising Biologists (my counterparts and I) at our respective regional offices to discuss the current environmental conditions for your project area and the interpretation of our analysis. We can be reached at:

Alan Jenne
Supervising Habitat Biologist
NDOW - Eastern Region
60 Youth Center Road
Elko, Nevada 89801
775.777.2332
ajenne@ndow.org

Brad Hardenbrook
Supervising Habitat Biologist
NDOW - Southern Region
4747 Vegas Drive
Las Vegas, Nevada 89108
702.486.5127 x3600
bhrdnbrk@ndow.org

Mark Freese
Supervising Habitat Biologist
NODW - Western Region
1100 Valley Road
Reno, Nevada 98512
775.688.1145
markfreese@ndow.org

It should be noted that the information detailed above is preliminary in nature and not necessarily an identification of every wildlife resource concern associated with the proposed project. Consultation with the Supervising Habitat biologist as the project progresses will facilitate the development of avoidance or mitigation measures that will decrease or eliminate impacts to the wildlife resources in the vicinity of the project area. Finally and as indicated previously, migratory birds and those federally listed as threatened and endangered species are under primary jurisdiction of the U.S. Fish and Wildlife Service. Please contact (online at <http://www.fws.gov/nevada/>) either the Reno or Las Vegas offices for more information regarding these species.

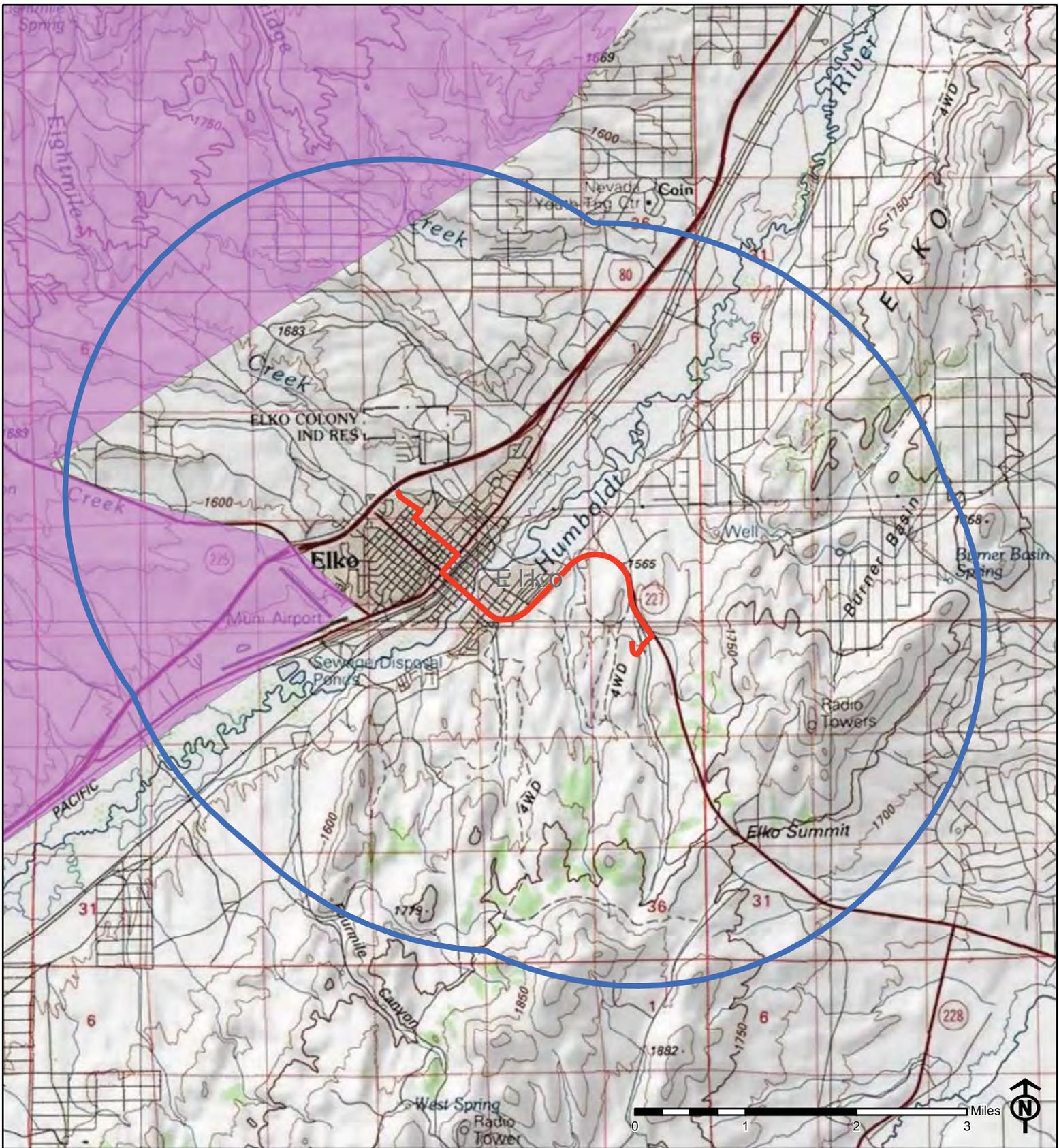
Sincerely,



Mark Freese
Supervising Habitat Biologist
NODW - Western Region
1100 Valley Road
Reno, Nevada 98512
775.688.1145
markfreese@ndow.org

enclosures

cc: NDOW, Files



Legend

-  Fiber Optic Routes
-  Three-mile Buffer Area Boundary
-  Elk Distribution
-  County Boundary



NHA Fiber Optic Project NDOW Eastern Region Elk Distribution

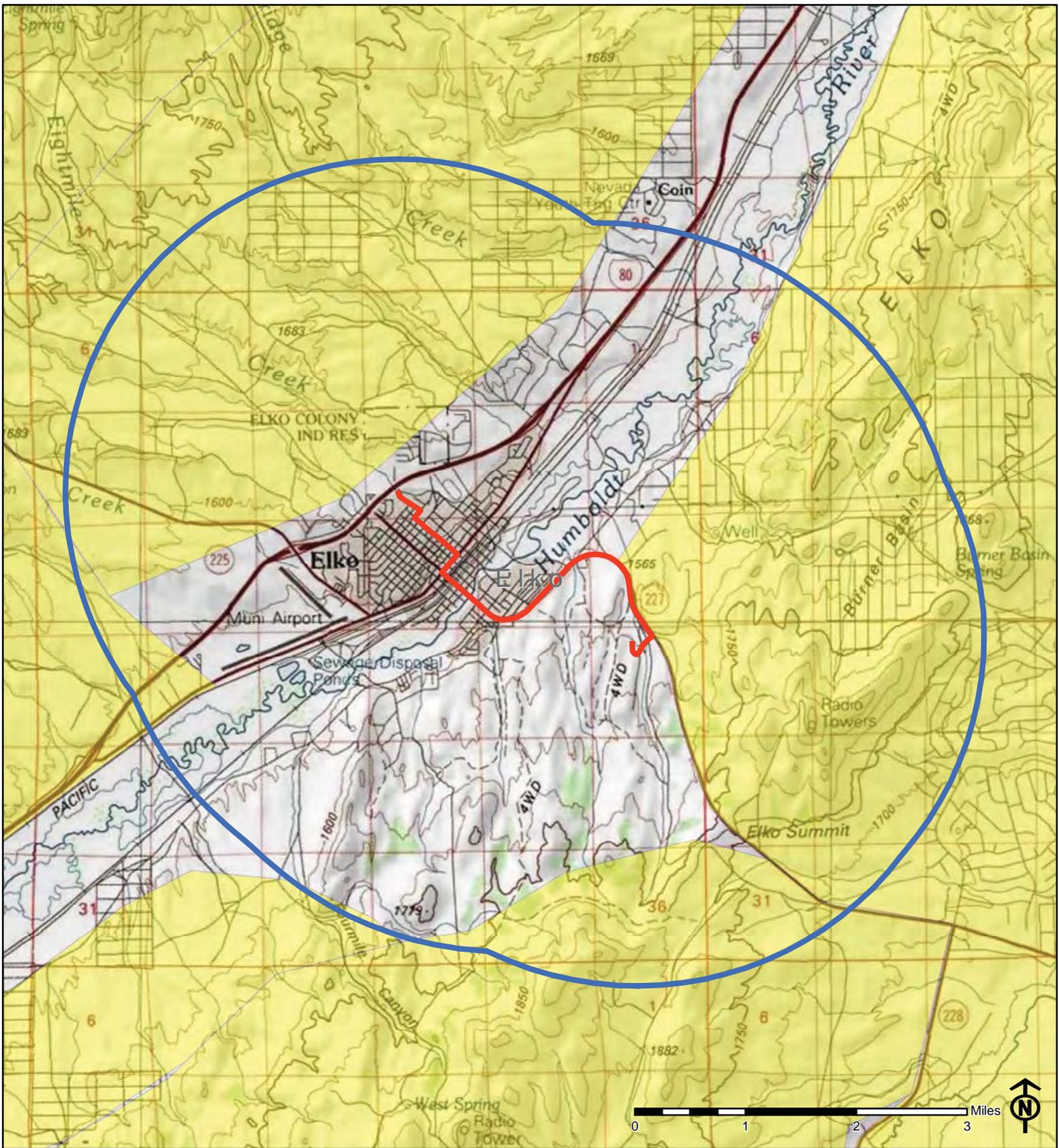


August 17, 2011

Projection: UTM Zone 11 North, NAD83

No warranty is made by the Nevada Department of Wildlife as to the accuracy, reliability, or completeness of the data for individual use or aggregate use with other data.





Legend

-  Fiber Optic Routes
-  Three-mile Buffer Area Boundary
-  Pronghorn Antelope Distribution
-  County Boundary



NHA Fiber Optic Project NDOW Eastern Region Pronghorn Antelope Distribution

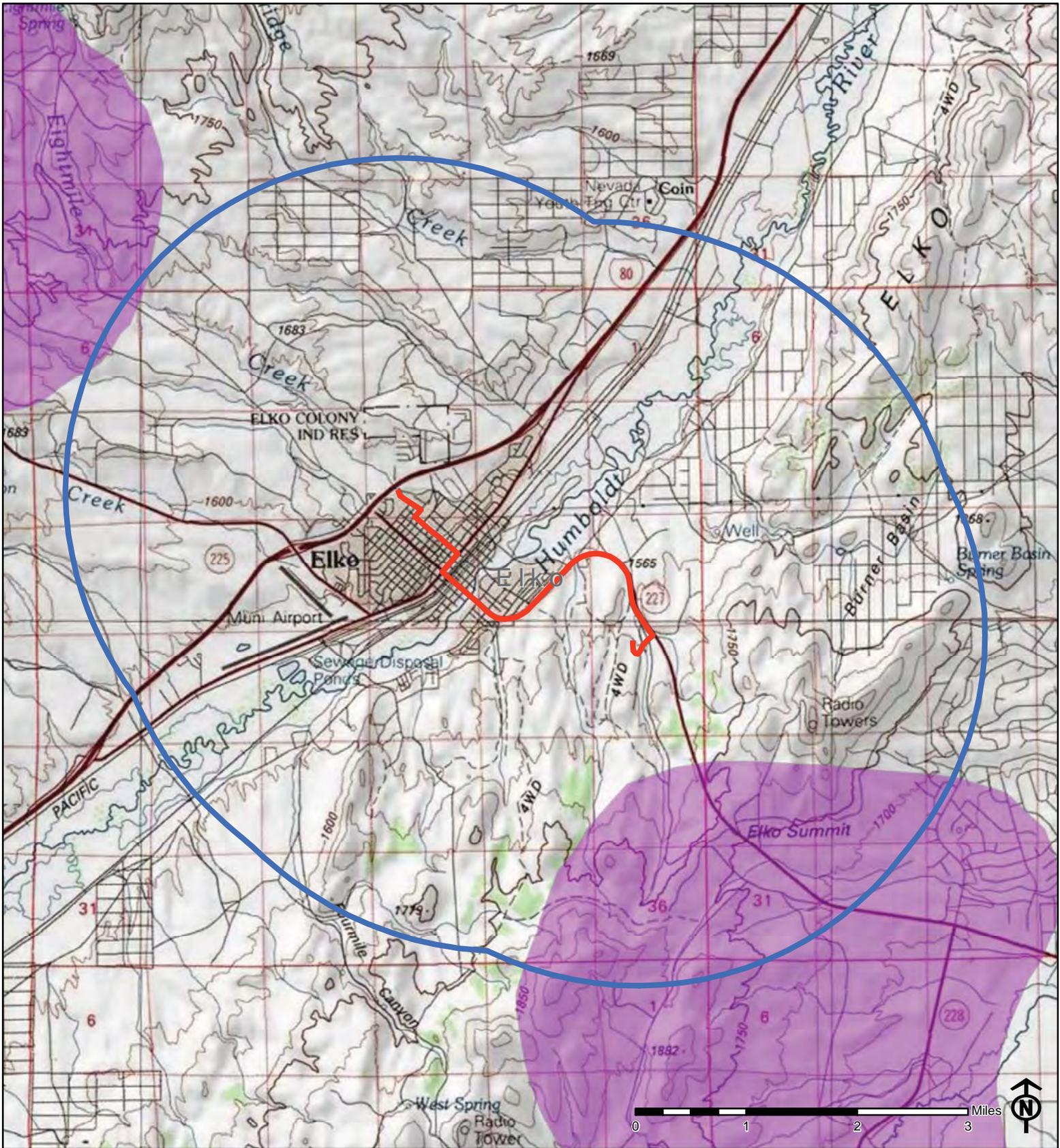


August 17, 2011

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Legend

-  Fiber Optic Routes
-  Three-mile Buffer Area Boundary
-  Sage-grouse Nesting Habitat
-  County Boundary



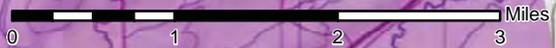
NHA Fiber Optic Project NDOW Eastern Region Sage-grouse Nesting Habitat

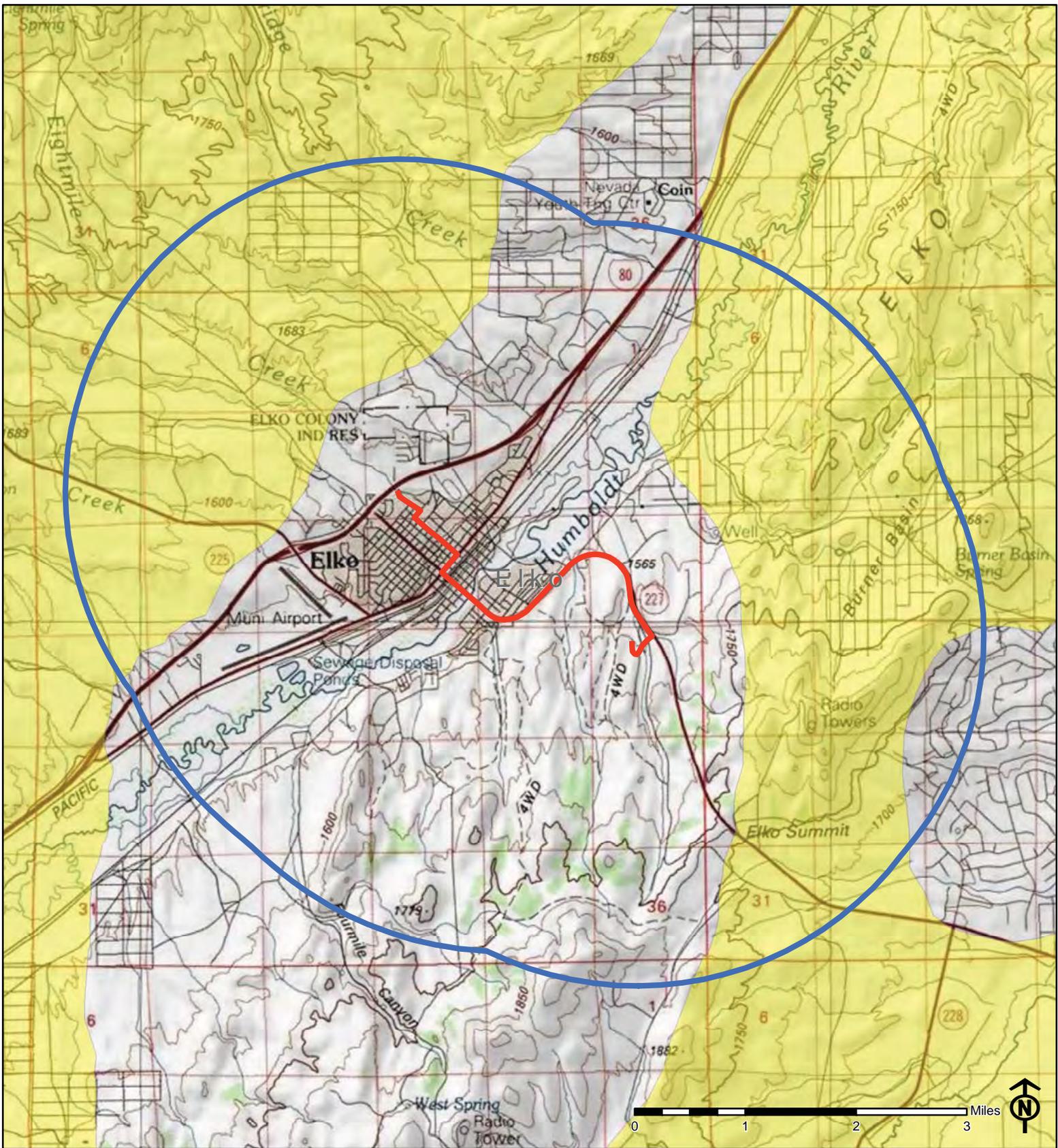


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Legend

-  Fiber Optic Routes
-  Three-mile Buffer Area Boundary
-  Sage-grouse Summer Distribution
-  County Boundary



NHA Fiber Optic Project NDOW Eastern Region Sage-grouse Summer Distribution

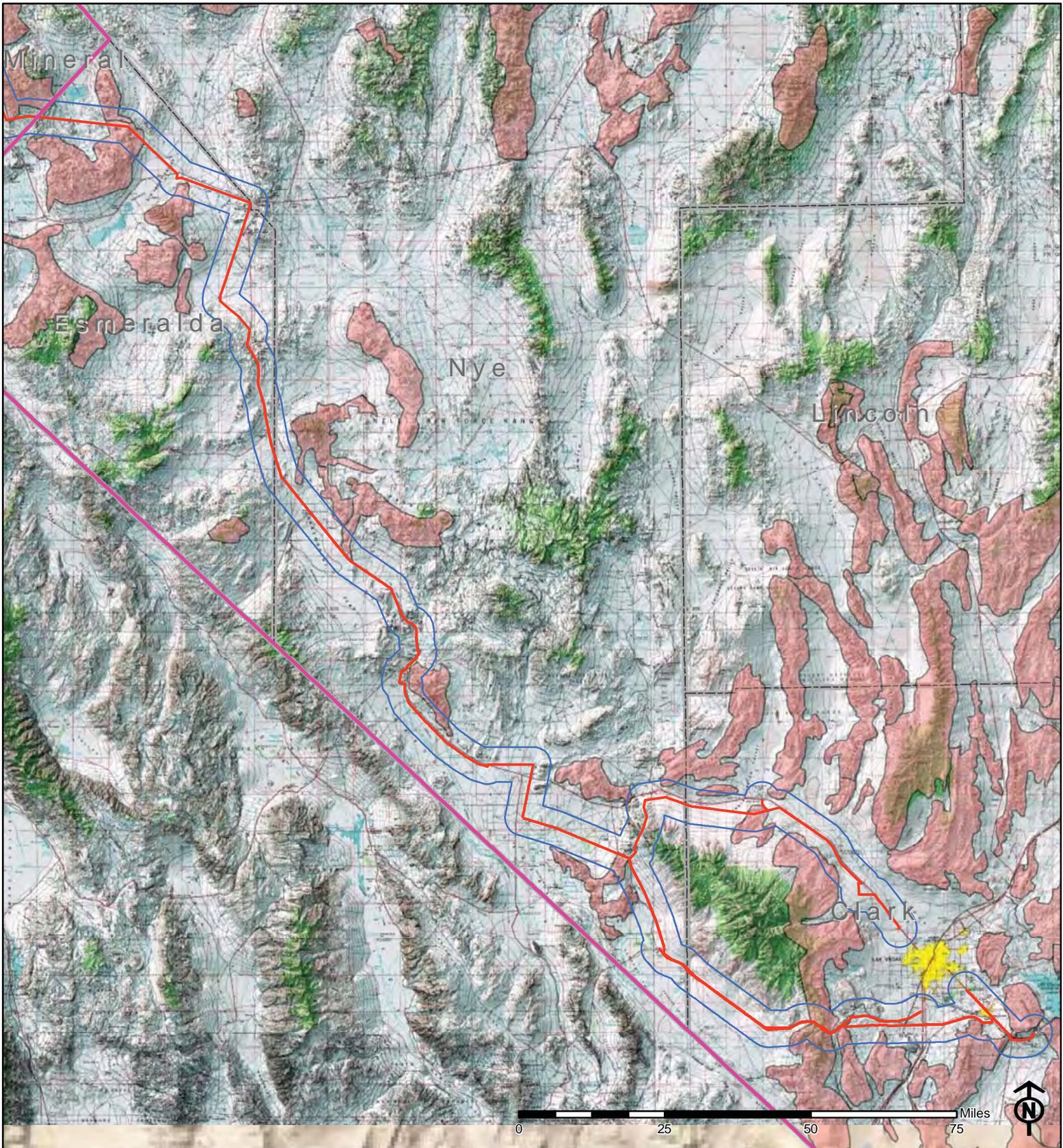


August 17, 2011

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Legend

-  NDOW Southern Region
-  Fiber Optic Routes
-  Three-mile Buffer Area Boundary
-  Bighorn Distribution
-  County Boundary



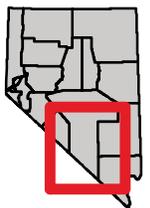
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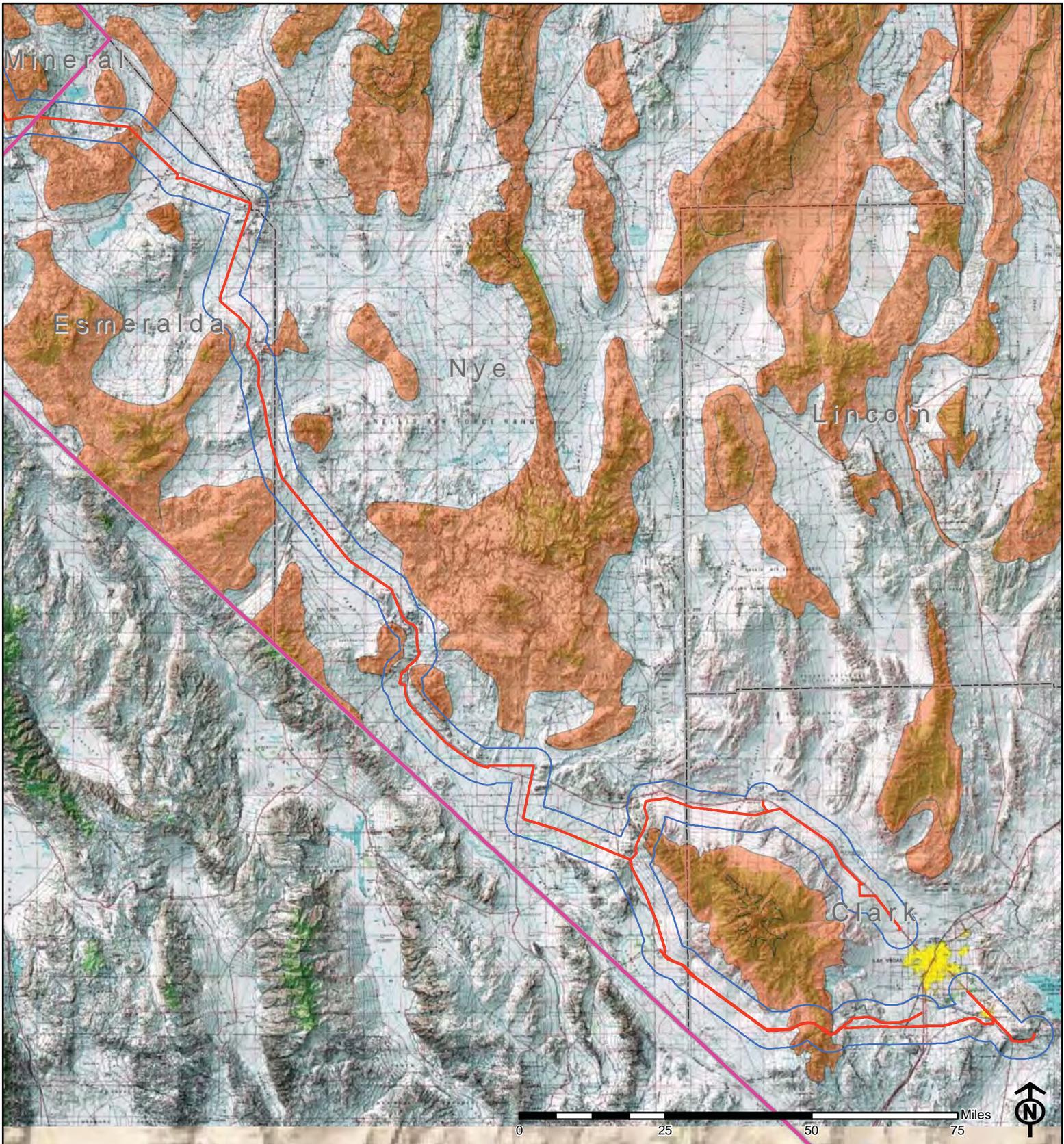


August 19, 2011

Projection: UTM Zone 11 North, NAD83

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Legend

-  NDOW Southern Region
-  Fiber Optic Routes
-  Three-mile Buffer Area Boundary
-  Mule Deer Distribution
-  County Boundary



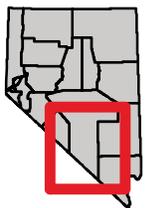
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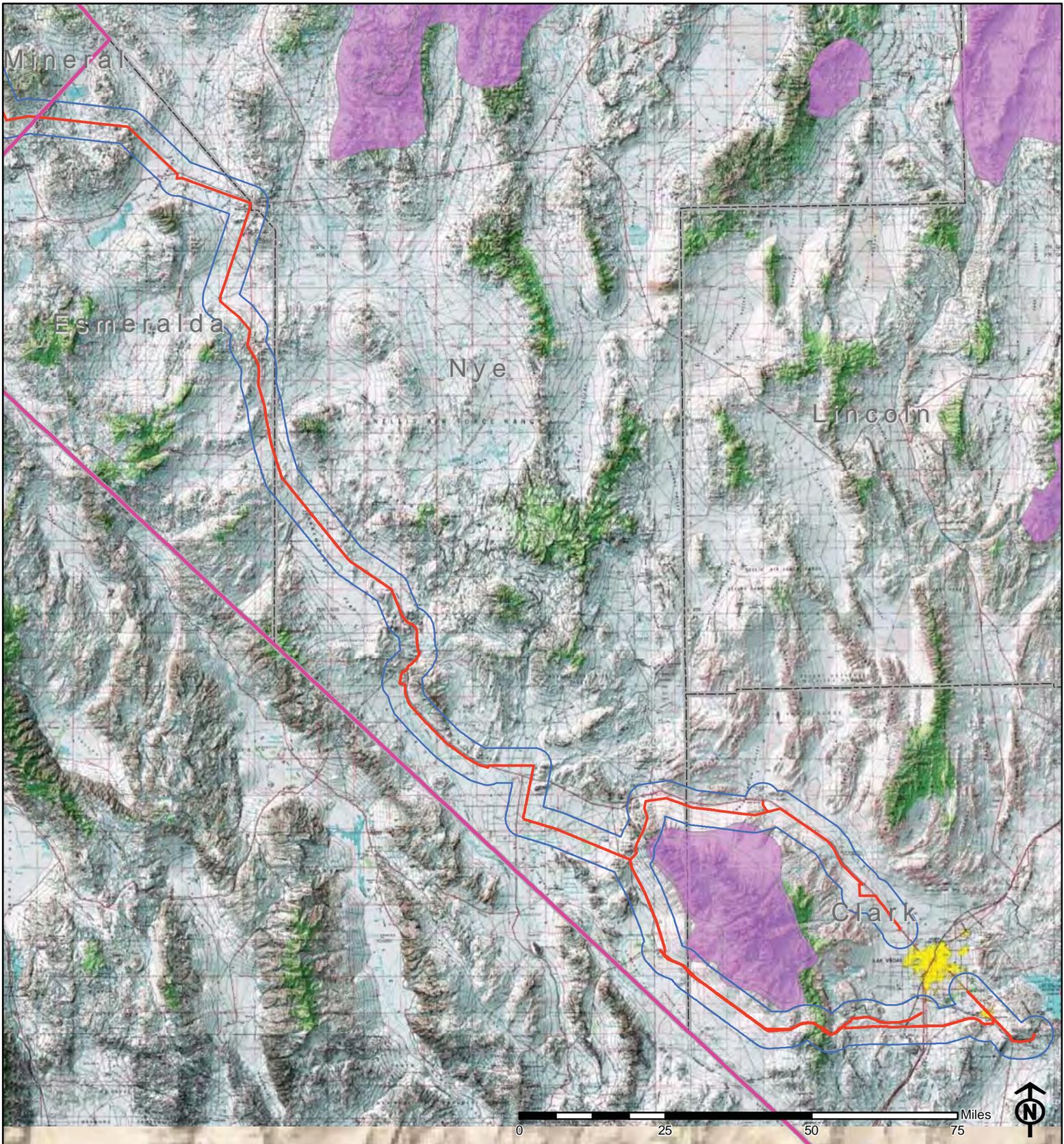


August 19, 2011

Projection: UTM Zone 11 North, NAD83

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Legend

-  NDOW Southern Region
-  Fiber Optic Routes
-  Three-mile Buffer Area Boundary
-  Elk Distribution
-  County Boundary



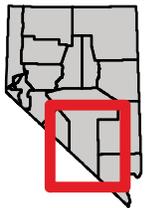
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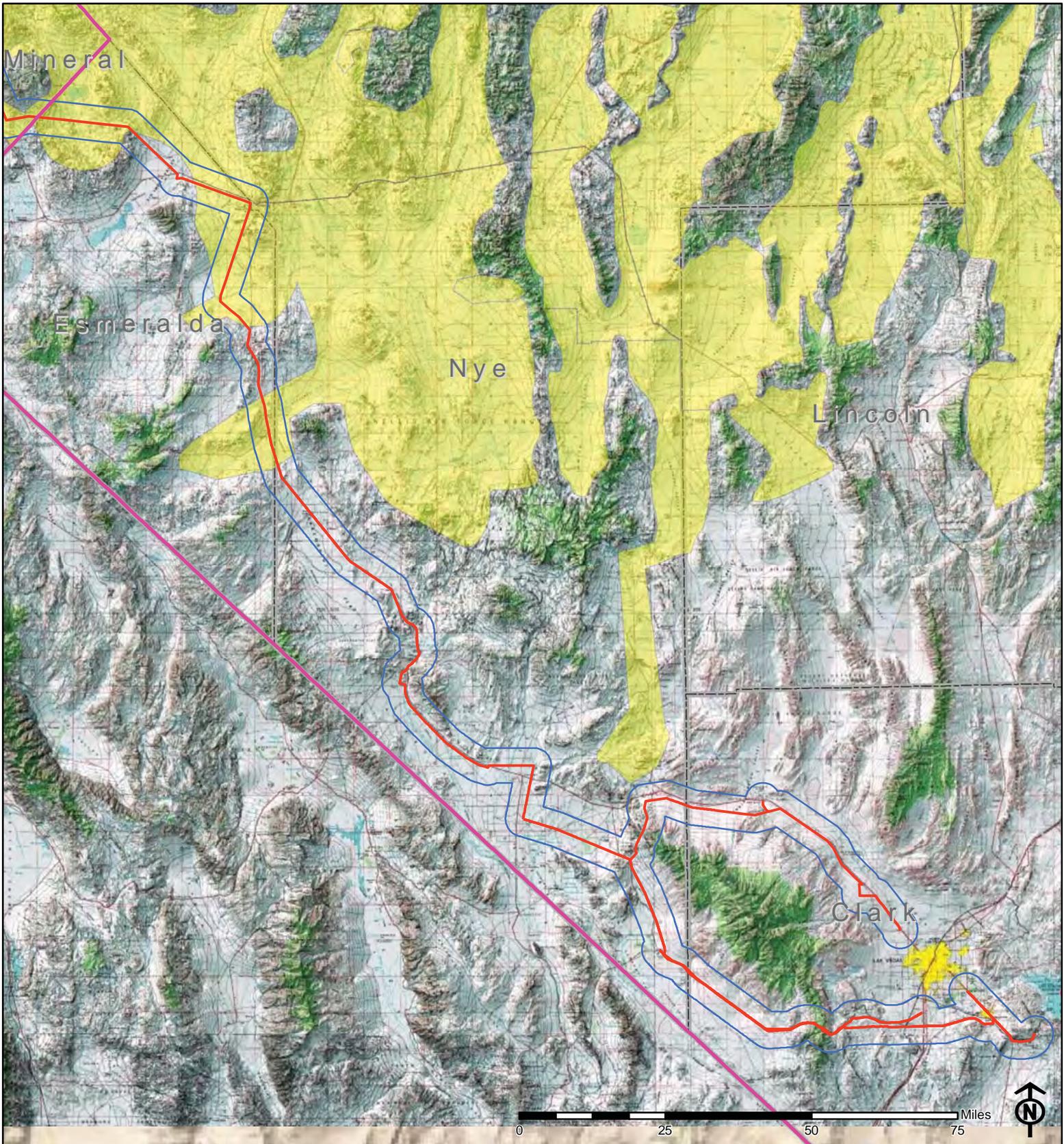


August 19, 2011

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Legend

-  NDOW Southern Region
-  Fiber Optic Routes
-  Three-mile Buffer Area Boundary
-  Pronghorn Antelope Distribution
-  County Boundary



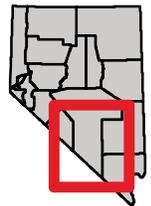
NHA Fiber Optic Project NDOW Southern Region Pronghorn Antelope Distribution

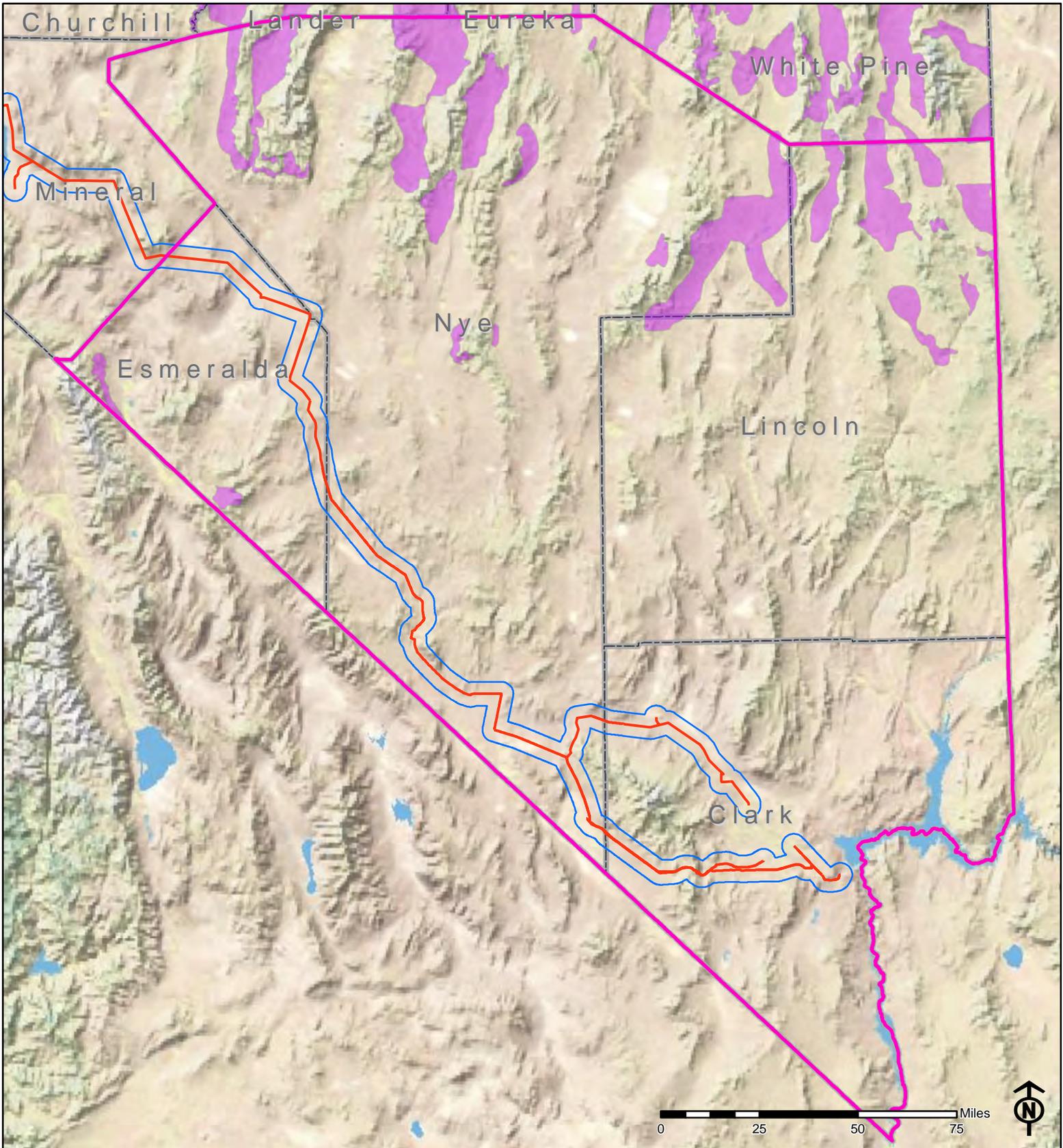


August 19, 2011

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Legend

-  NDOW Southern Region
-  Fiber Optic Routes
-  Three-mile Buffer Area Boundary
-  Sage-grouse Nesting Habitat
-  County Boundary



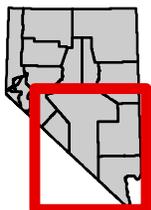
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NDOW Southern Region
Sage-Grouse Nesting Habitat**

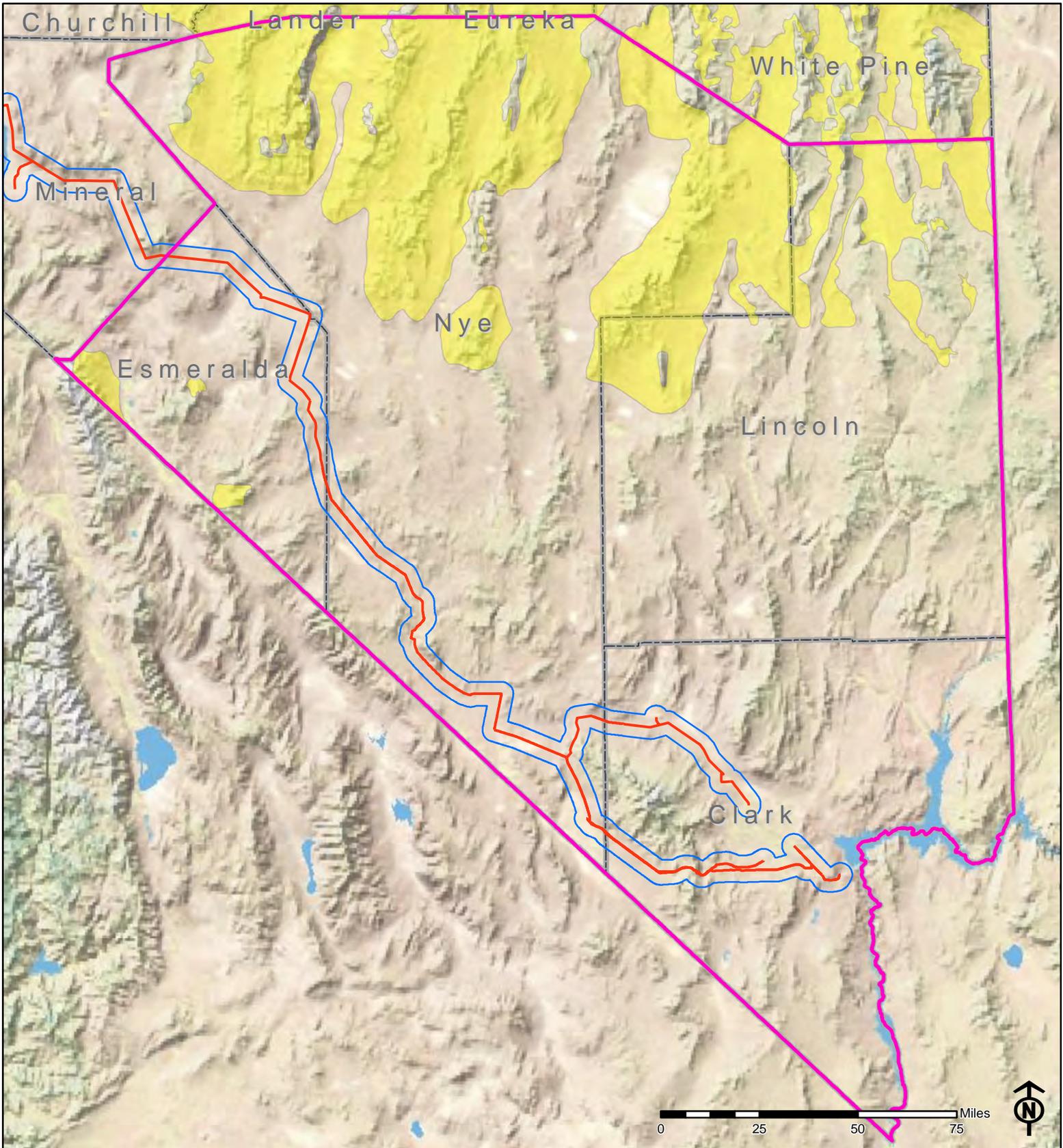


August 30, 2011

Projection: UTM Zone 11 North, NAD83

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Legend

-  NDOW Southern Region
-  Fiber Optic Routes
-  Three-mile Buffer Area Boundary
-  Sage-grouse Summer Distribution
-  County Boundary



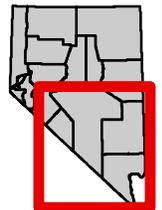
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NDOW Southern Region
Sage-Grouse Summer Distribution**

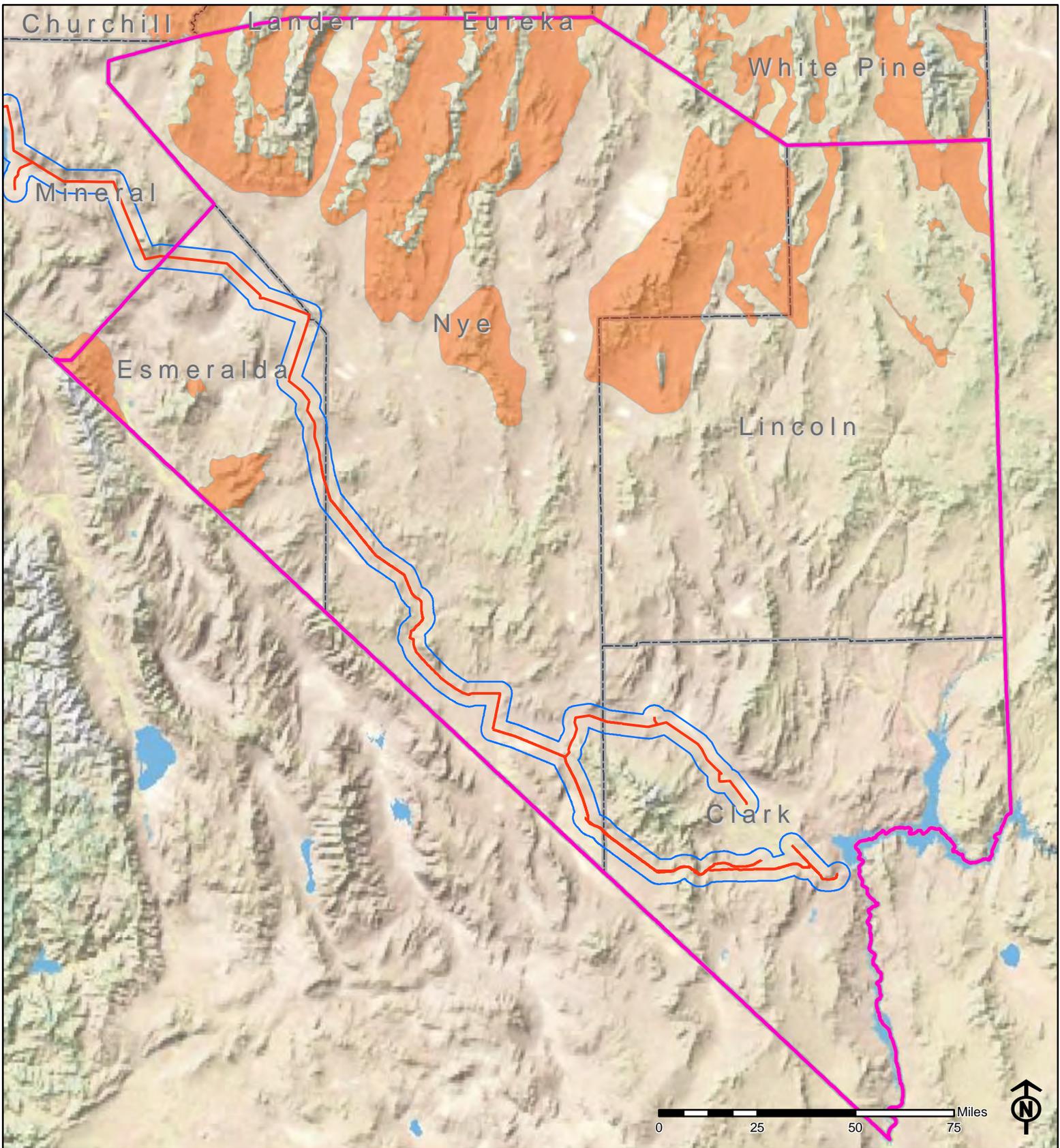


August 30, 2011

Projection: UTM Zone 11 North, NAD83

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Legend

-  NDOW Southern Region
-  Fiber Optic Routes
-  Three-mile Buffer Area Boundary
-  Sage-grouse Winter Distribution
-  County Boundary



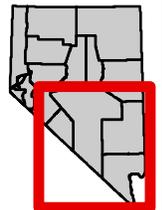
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Sage-Grouse Winter Distribution**

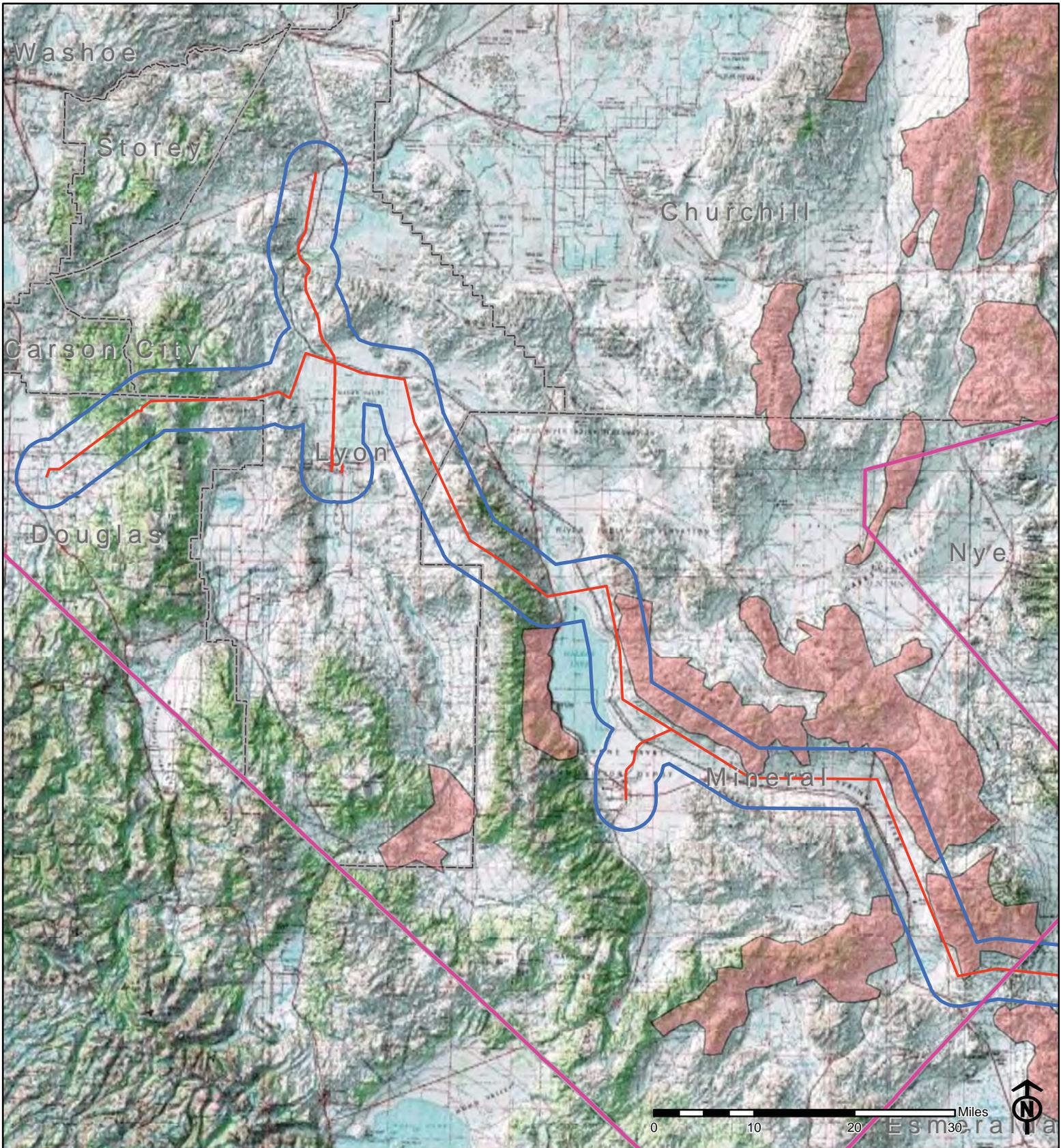


August 30, 2011

Projection: UTM Zone 11 North, NAD83

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Legend

-  NDOW Western Region
-  Fiber Optic Routes
-  Three-mile Buffer Area Boundary
-  Bighorn Distribution
-  County Boundary



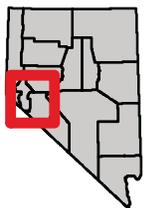
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NDOW Western Region
Bighorn Sheep Distribution**

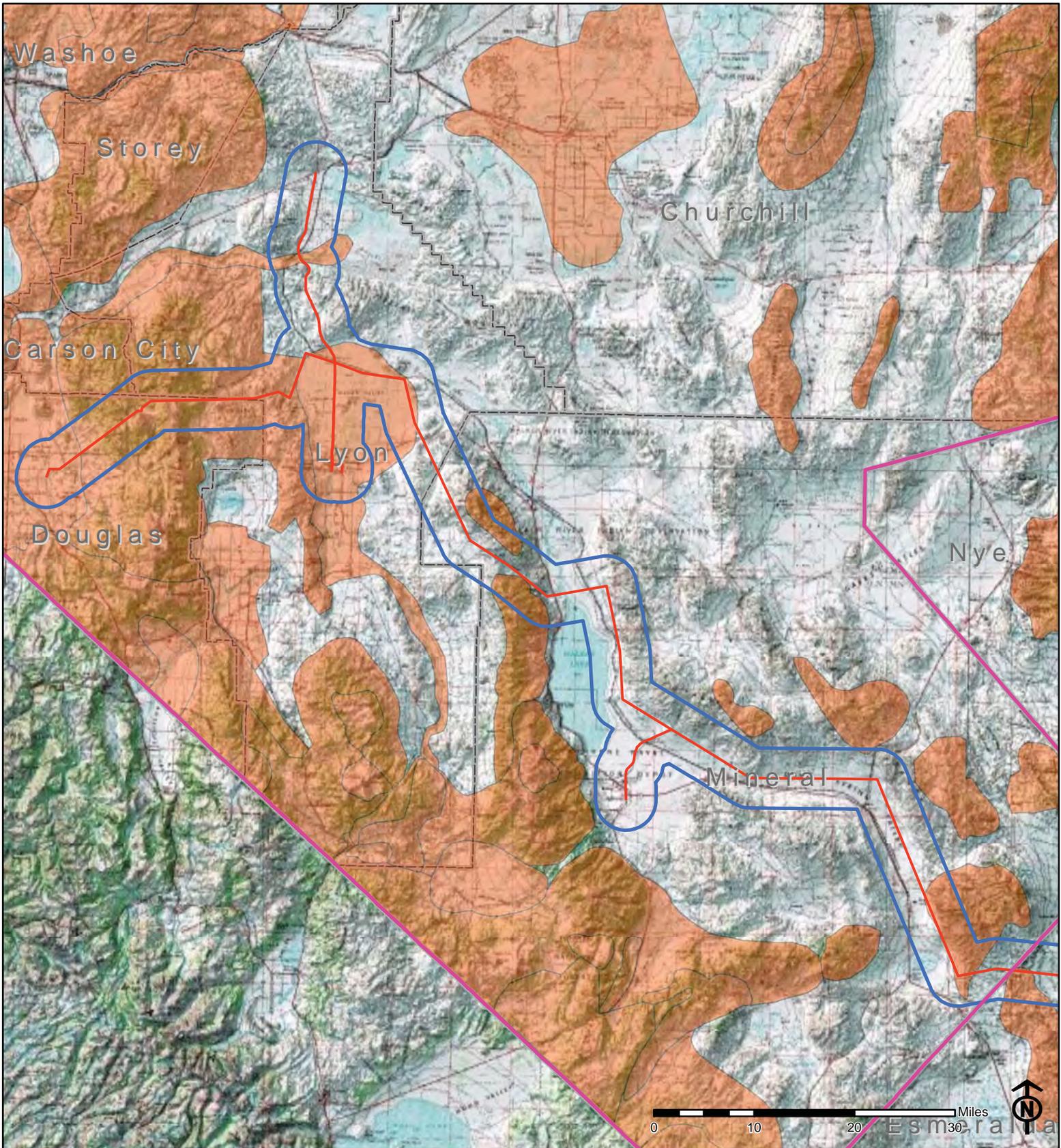


August 19, 2011

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Legend

-  NDOW Western Region
-  Fiber Optic Routes
-  Three-mile Buffer Area Boundary
-  Mule Deer Distribution
-  County Boundary



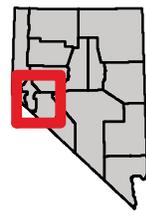
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NDOW Western Region
Mule Deer Distribution**

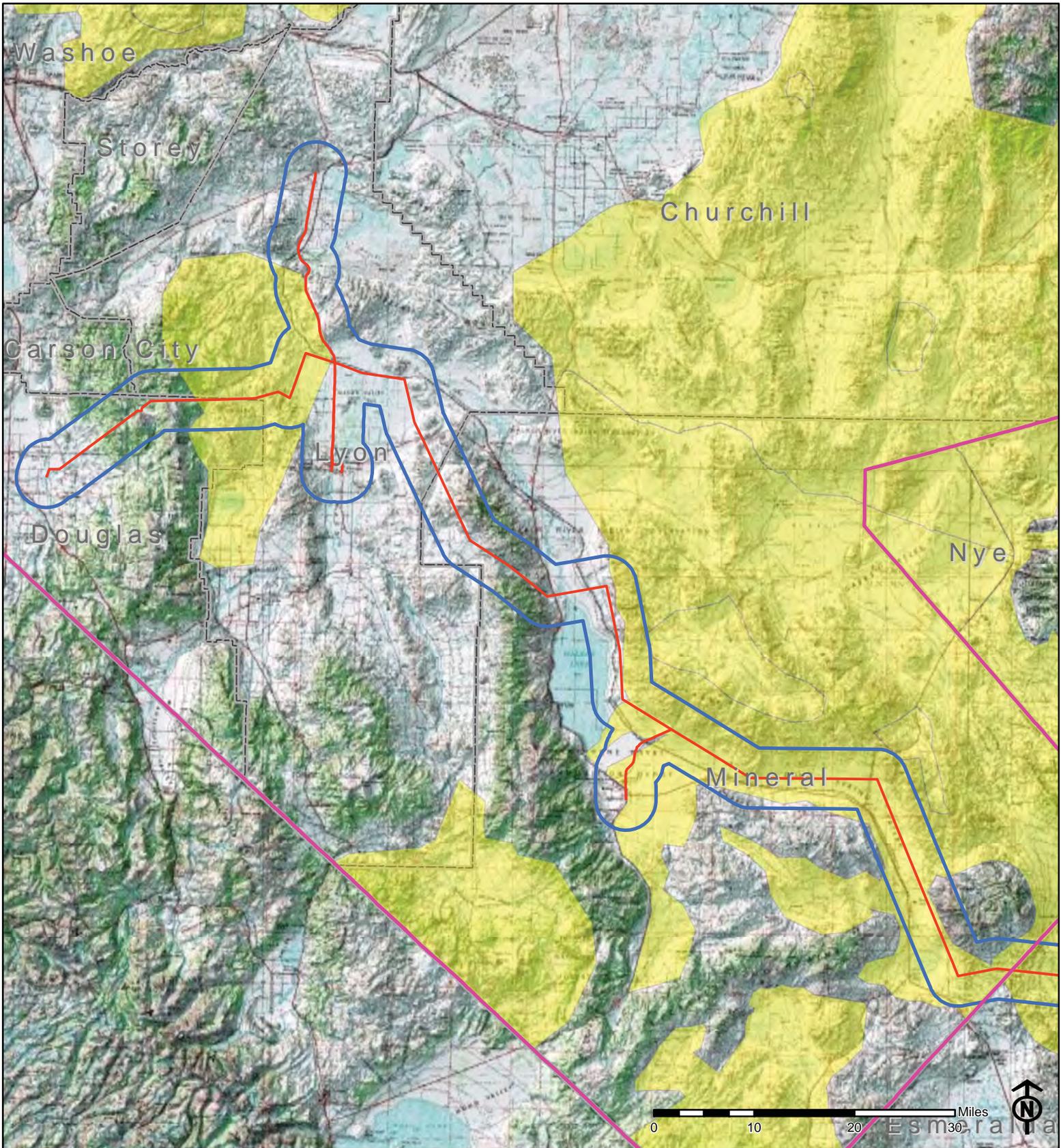


August 19, 2011

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Legend

-  NDOW Western Region
-  Fiber Optic Routes
-  Three-mile Buffer Area Boundary
-  Pronghorn Antelope Distribution
-  County Boundary



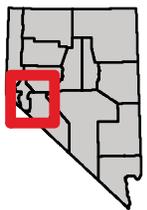
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NDOW Western Region
Pronghorn Antelope Distribution**

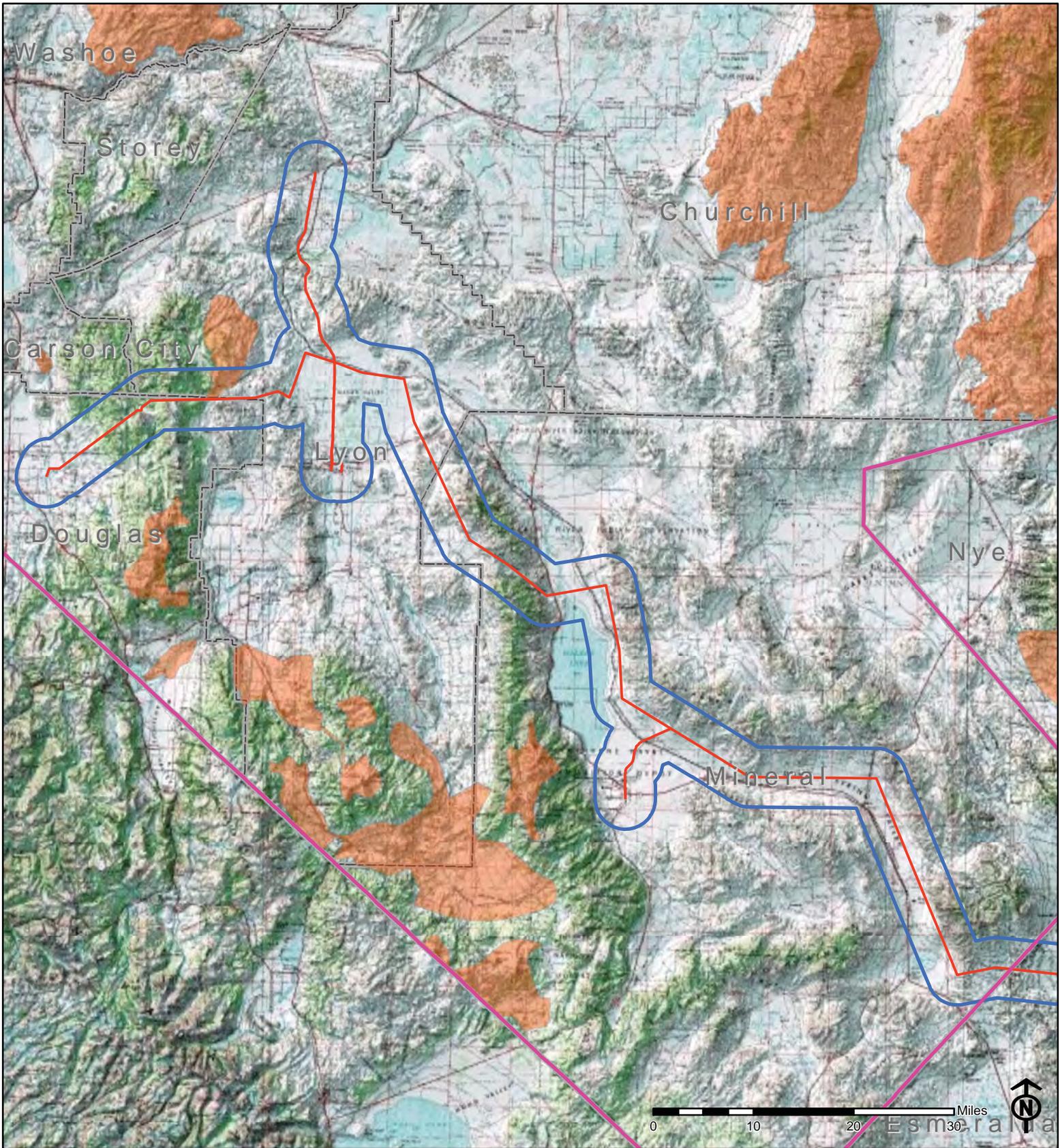


August 19, 2011

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Legend

-  NDOW Western Region
-  Fiber Optic Routes
-  Three-mile Buffer Area Boundary
-  Sage-grouse Winter Distribution
-  County Boundary



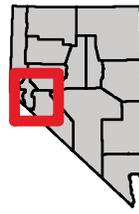
**NHA Fiber Optic Project
NDOW Western Region
Sage-grouse Winter Distribution**

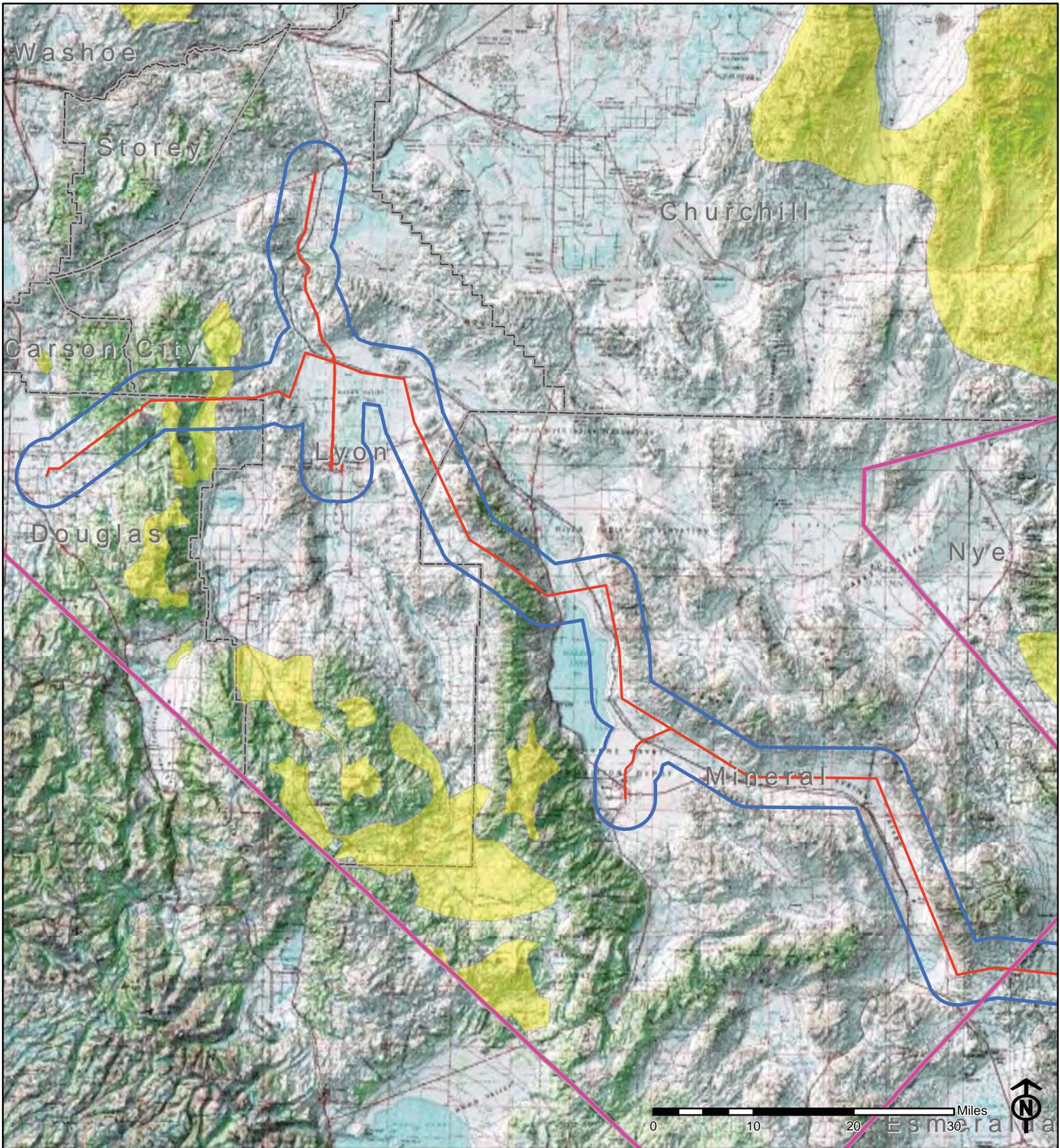


August 19, 2011

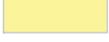
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Legend

-  NDOW Western Region
-  Fiber Optic Routes
-  Three-mile Buffer Area Boundary
-  Sage-grouse Summer Distribution
-  County Boundary



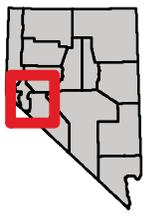
**NHA Fiber Optic Project
NDOW Western Region
Sage-grouse Summer Distribution**



August 19, 2011

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STATE OF NEVADA
DEPARTMENT OF WILDLIFE

1100 Valley Road
 Reno, Nevada 89512

(775) 688-1500 • Fax (775) 688-1595

KENNETH E. MAYER
 Director

RICHARD L. HASKINS, II
 Deputy Director

RECEIVED
 BUREAU OF LAND MANAGEMENT
 CARSON CITY DISTRICT OFFICE
 JAN - 9 PM 2:00

BRIAN SANDOVAL
 Governor

January 4, 2011

Brian L. Buttazoni
 Carson City BLM District Office
 5665 Morgan Mill Road
 Carson City, Nevada 89701

Re: Nevada Broadband Telemedicine Initiative

Dear Mr. Buttazoni;

Thank you for providing the Nevada Department of Wildlife (NDOW) with the opportunity to comment on the Nevada Broadband Telemedicine Initiative Project. NDOW's goal and responsibility is to identify potential impacts to wildlife prior to project implementation and to suggest mitigation measures to avoid and lessen impacts to wildlife. We hope that you consider the following measures to further minimize and mitigate impacts to wildlife. To preface our comments, we wish to commend the Nevada Hospital Association, National Telecommunications and Information Administration, Nevada Department of Transportation, Bureau of Land Management, Resource Concepts Inc., and the pole owners (NVEnergy and Valley Electric Association) for collaborating in locating communication lines on existing infrastructure and within existing Right of Ways (ROW's) to minimize surface disturbances.

Related construction activities that deviate from the project's previously disturbed areas may pose the greatest threat to wildlife resources. The previously disturbed areas for the proposed project create the least adverse effects to Nevada's wildlife resources. However, there is still potential for individuals of species (including State protected species) coming into harm's way. Heightened attention to the banded Gila monster in potentially occupied habitat within the project area will be appreciated. For all practicable intents and purposes banded Gila monster would be associated with the desert tortoise as discussed in the document's Terms and Conditions of Biological Opinion. For construction worker education and awareness please consider incorporating into the subsequent environmental document in its entirety, the Department's Gila Monster Status, Identification, and Reporting Protocol for Observations, this protocol is available online at:

http://www.ndow.org/wild/conservation/reptile/07Gila_Protocol.pdf

In addition to the Gila Monster, numerous other species (e.g. western burrowing owl) warrant consideration in this planning process. The Department's *Wildlife Action Plan* (2005) contains recommended management considerations for the threatened, endangered, and sensitive species (Table 3-4 described in the EA) that could potentially occur in the project area. The document is available online at: <http://www.ndow.org/wild/conservation/cwcs/>

Appropriate avoidance and minimization measures should be followed to decrease potential impacts to desert tortoises, as appropriate (see USFWS biological opinion). Other losses of desert tortoises may result from their encounters with humans, introduced diseases, domestic pets and predators attracted by human activity. State permits are required, in addition to federal

permits, to handle and/or remove desert tortoises from the project site. The Department's contact for acquiring the appropriate State permit is Cris Tomlinson he can be contacted at ctomlinson@ndow.org.

We appreciate the plan's efforts towards preventing the spread of noxious and invasive weeds. Additionally, we encourage weed treatments to occur in areas identified as harboring weeds based on pre-construction surveys. Furthermore, we recommend weed monitoring in disturbed areas and following treatments to verify treatment success.

NDOW appreciates the opportunity to comment on the Nevada Broadband Telemedicine Initiative and is optimistic that our recommendations are considered. If you have questions, concerns, or need additional information, please let us know.

Sincerely,



Mark Freese
Western Region Supervising Habitat Biologist



NEVADA DEPARTMENT OF WILDLIFE

Southern Region

4747 W. Vegas Drive, Las Vegas, Nevada 89108
Phone: 702-486-5127, Fax: 702-486-5133



1 November 2007

GILA MONSTER STATUS, IDENTIFICATION AND REPORTING PROTOCOL FOR OBSERVATIONS

Gila Monster Status

- Per Nevada Administrative Code 503.080, the Gila monster (*Heloderma suspectum*) is classified as a Protected reptile.
- Per Nevada Administrative Codes 503.090, and 503.093, no person shall capture, kill, or possess any part thereof of Protected wildlife without the prior written permission by the Nevada Department of Wildlife (NDOW).

This species is rarely observed relative to other species which is the primary reason for its Protected classification by the State of Nevada. The USDI Bureau of Land Management has recognized this lizard as a sensitive species since 1978. Most recently, the Gila monster was designated as an *Evaluation* species under Clark County's Multiple Species Habitat Conservation Plan (MSHCP). The evaluation designation was warranted because inadequate information exists to determine if mitigation facilitated by the MSHCP would demonstrably cover conservation actions necessary to insure the species' persistence without protective intervention as provided under the federal Endangered Species Act.

The banded Gila monster (*H.s. cinctum*) is the subspecies that occurs in Clark, Lincoln, and Nye counties of Nevada. Found mainly below 5,000 feet elevation, its geographic range approximates that of the desert tortoise (*Gopherus agasizii*) and is coincident to the Colorado River drainage. Gila monster habitat requirements center on desert wash, spring and riparian habitats that inter-digitate primarily with complex rocky landscapes of upland desert scrub. They will use and are occasionally encountered out in gentler terrain of alluvial fans (bajadas). Hence, Gila monster habitat bridges and overlaps that of both the desert tortoise and chuckwalla (*Sauromalus ater*). Gila monsters are secretive and difficult to locate, spending >95% of their lives underground.

The Gila monster is the only venomous lizard endemic to the United States. Its behavioral disposition is somewhat docile and avoids confrontation. But it will readily defend itself if threatened. Most bites are considered illegitimate and consequential to harassment or careless handling. These lizards are not dangerous unless molested or handled and should not be killed.

Scant information exists on detailed distribution and relative abundance in Nevada. The Nevada Department of Wildlife (NDOW) has ongoing management investigations addressing the Gila monster's status and distribution, hence additional distribution, habitat, and biological

information is of utmost interest. In assistance to gathering additional information about Gila monsters in Nevada, NDOW will be notified whenever a Gila monster is encountered or observed, and under what circumstances (see Reporting Protocol below).

Identification



The Gila monster is recognizable by its striking black and orange-pink coloration and bumpy, or beaded, skin. In keeping with its namesake, the banded Gila monster retains a black chain-link, banded appearance into adulthood. Other lizard species are often mistaken for the Gila monster. Of these, the non-venomous western banded gecko (*Coleonyx variegatus*) and non-venomous chuckwalla are most frequently confused with the Gila monster. All three species share the same habitats.

The western banded gecko is often mistakenly identified as a baby or juvenile Gila monster. Western banded geckos do have a finely granular skin and pattern that can be suggestive of the Gila monster to the untrained eye. However, western banded gecko heads are somewhat pointed at the snout and the relatively large eyes have vertical pupils. Snouts of Gila monsters are bluntly rounded and the smallish eyes have round pupils.



Newly hatched Gila monsters are about 5-6 inches long with a vivid orange and black, banded pattern. Adult western banded geckos are at best cream to yellow and brown in pattern and do not exceed 5 inches.



Both juvenile and adult chuckwallas are commonly confused with the Gila monster. Juvenile chuckwallas have an orange and black, banded tail. Although banding of the tail fades as chuckwallas mature, their large adult size (up to 17 inches) rivals that of the Gila monster. Adult chuckwallas have a body shape somewhat suggestive of the Gila monster, but they lack the coarsely beaded skin and black and orange body pattern of the Gila monster.

Reporting Protocol for Gila Monster Observations

Field workers and personnel in southern Nevada should at least know how to: (1) identify Gila monsters and be able to distinguish it from other lizards such as chuckwallas and western banded geckos (see Identification section above); (2) report any observations of Gila monsters to the Nevada Department of Wildlife (NDOW); (3) be alerted to the consequences of a Gila monster bite resulting from carelessness or unnecessary harassment; and (4) be aware of protective measures provided under state law.

- 1) Live Gila monsters found in harms way on the construction site will be captured and then

detained in a cool, shaded environment ($\leq 85^{\circ}\text{F}$) by the project biologist or equivalent personnel until a NDOW biologist can arrive for documentation, marking and obtaining biological measurements and samples prior to releasing. Despite that a Gila monster is venomous and can deliver a serious bite, its relatively slow gate allows for it to be easily coaxed or lifted into an open bucket or box carefully using a long handled instrument such as a shovel or snake hook (*Note: it is not the intent of NDOW to request unreasonable action to facilitate captures; additional coordination with NDOW will clarify logistical points*). A clean 5-gallon plastic bucket w/ a secure, vented lid; an 18"x 18"x 4" plastic sweater box w/ a secure, vented lid; or, a tape-sealed cardboard box of similar dimension may be used for safe containment. Additionally, written information identifying the mapped capture location, Global Positioning System (GPS) coordinates in Universal Transverse Mercator (UTM) using the North American Datum (NAD) 83 zone 11. Date, time, and circumstances (e.g. biological survey or construction) and habitat description (vegetation, slope, aspect, substrate) will also be provided to NDOW.

- 2) Injuries to Gila monsters may occur during excavation, blasting, road grading, or other construction activities. In the event a Gila monster is injured, it should be transferred to a veterinarian proficient in reptile medicine for evaluation of appropriate treatment. Rehabilitation or euthanasia expenses will not be covered by NDOW. However, NDOW will be immediately notified of any injury to a Gila monster and which veterinarian is providing care for the animal. If an animal is killed or found dead, the carcass will be immediately frozen and transferred to NDOW with a complete written description of the discovery and circumstances, date, time, habitat, and mapped location (GPS coordinates in UTM using NAD 83 Z 11).
- 3) Should NDOW's assistance be delayed, biological or equivalent acting personnel on site should detain the Gila monster out of harms way until NDOW personnel can respond. **The Gila monster should be detained until NDOW biologists have responded.** Should NDOW not be immediately available to respond for photo-documentation, a digital (5 mega-pixle or higher) or 35mm camera will be used to take good quality images of the Gila monster in situ at the location of live encounter or dead salvage. The pictures will be provided to NDOW at the address above or the email address below along with specific location information including GPS coordinates in UTM using NAD 83 Z 11, date, time and habitat description. Pictures will show the following information: (1) Encounter location (landscape with Gila monster in clear view); (2) a clear overhead shot of the entire body with a ruler next to it for scale (Gila monster should fill camera's field of view and be in sharp focus); (3) a clear, overhead close-up of the head (head should fill camera's field of view and be in sharp focus).

Please contact NDOW Biologist Polly Conrad at (702) 486-5127 x3718
or by e-mail at pconrad@ndow.org for additional information regarding these protocols.