NEBRASKA
GAME PARKS

2200 N. 33rd St. • P.O. Box 30370 • Lincoln, NE 68503-0370 • Phone: 402-471-0641

11/23/2015

Scott Stapp
Federal Highway Administration
100 Centennial Mall North, Room 220
Lincoln, NE 68508-3803

Re: Batched Automated Gates and CCTV projects- Districts 4, 5, 6
Elm Creek- Alda, ITS-NH-80-5(79), CN 42772, Buffalo and Hall Counties, NE
Grand Island- Waco, ITS-NHS-80-7-(162), CN 42773, Hall, Hamilton, and York Counties, NE
District 5 Automated Gates, ITS-NH-80-1(194), CN 51553, Kimball and Cheyenne Counties, NE
District 6 Automated Gates, ITS-NH-80-4(145), CN 61606, Lincoln and Dawson Counties, NE

Dear Mr. Stapp:

Please make reference to your letter dated 11/9/2015. This letter is in response to your request for concurrence regarding this project's potential impacts to endangered and threatened species in Buffalo, Cheyenne, Dawson, Hall, Hamilton, Kimball, Lincoln, and York counties, Nebraska. As we understand it, the project involves deploying automated gates and CCTV cameras on I-80 entrance ramps at several locations and other associated activities as outlined in the documents attached to your letter. We have completed our review of the proposed project under Neb. Rev. Stat. § 37-807 (3) of the Nongame and Endangered Species Conservation Act (NESCA) and we offer the following comments.

Parts of this project are within the range of the federally and state-listed endangered American burying beetle (*Nicrophorus americanus*), whooping crane (*Grus americana*), and interior least tern (*Sternula antillarum athalassos*), the federally listed endangered and state-listed threatened Colorado butterfly plant (*Gaura neomexicana* ssp. *coloradensis*), the federally and state-listed threatened western prairie fringed orchid (*Platanthera praeclara*), northern long-eared bat (*Myotis septentrionalis*), *rufa* red knot (*Calidris canutus rufa*), and piping plover (*Charadrius melodus*), the federally listed endangered swift fox (*Vulpes velox*) and the state-listed threatened river otter (*Lontra canadensis*), finescale dace (*Phoxinus neogaeus*), northern redbelly dace (*Phoxinus eos*), and mountain plover (*Charadrius montanus*). Habitat for interior least tern, mountain plover, piping plover, swift fox, and whooping crane exists within or near at least one of the proposed project locations, and project activities may prevent these species from using this habitat. It does not appear that any other listed species will be impacted.

The Nebraska Department of Roads (NDOR) has agreed to implement standard and species-specific conservation conditions in order to avoid impacts to interior least tern, mountain plover, piping plover, swift fox, and whooping crane. Based on this information, we concur the proposed project "May Affect but is Not Likely to Adversely Affect" the aforementioned species and will have "no effect" on all other

state-listed endangered or threatened species. This concurrence is based on a review of the material you sent, aerial photographs, and our Nebraska Natural Heritage Database.

If the proposed project is changed or new information regarding endangered and threatened species becomes available, then this concurrence is no longer valid and further consultation with the Nebraska Game and Parks Commission (Commission) will be necessary.

For an assessment of potential impacts to habitats and species protected under federal wildlife laws, including federally listed, candidate or proposed endangered or threatened species, please contact Eliza Hines (eliza_hines@fws.gov) or John Cochnar (john_cochnar@fws.gov), Nebraska Field Office, U.S. Fish and Wildlife Service, 9325 South Alda Road, Wood River, NE 68883.

Thank you for the opportunity to comment. If you have any questions or need additional information, please feel free to contact me at (402) 471-5554 or ryan.joe@nebraska.gov.

Sincerely,

Ryan Joe
Environmental Analyst
Planning and Programming Division

ec: USFWS (Eliza Hines, John Cochnar, Brooke Stansberry)
NDOR (Melissa Marinovich)
FHWA (Melissa Maiefski, Sue Petracek)