

ENVIRONMENTAL ASSESSMENT

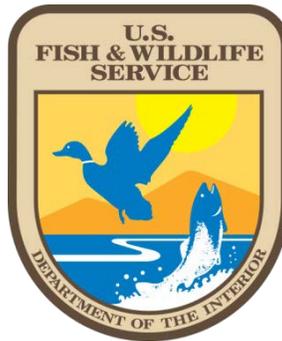
TRANSFER OF THE WILDLIFE RESTORATION GRANT PROGRAM INTEREST FROM THE SOUTH TWIN WMA TO THE AMERICAN GAME MARSH WMA

BROWN COUNTY, NEBRASKA

Involving Lands Owned by
Nebraska Game and Parks Commission

Prepared January 2019

Prepared by:



U.S. Fish & Wildlife Service
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and

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PURPOSE AND NEED

WSFR program regulations require the prior approval of the FWS Regional Director for the exchange, transfer, or disposal of real property originally acquired with federal funding from the WR Grant Program. This prior approval constitutes a major federal action pursuant to the National Environmental Policy Act of 1969 and requires the preparation of an Environmental Assessment (EA) to determine the impacts of the action on the human environment. NGPC and WSFR have prepared this Draft EA to identify and assess the potential impacts from the proposed action in compliance with NEPA requirements.

In 1965, the Nebraska Game and Parks Commission (NGPC) acquired the South Twin Wildlife Management Area (WMA) with federal funds from the Pittman-Robertson Wildlife Restoration (WR) Grant Program which is administered by the Wildlife and Sport Fish Restoration Program (WSFR) within the U.S. Fish and Wildlife Service (FWS.) South Twin totals 160.46 acres in size and is located in Brown County. The property was originally acquired for its value as wildlife habitat and to provide public hunting opportunities, primarily for waterfowl. Operation and management activities on South Twin WMA have included fence maintenance, parking area maintenance and noxious weed control on an “as-needed” basis.

South Twin WMA is located approximately 3.5 miles from a maintained county road via an access road across adjacent private property. Originally, this private property was owned by Board of Education Lands and Funds (BELF) and the access road to South Twin WMA was under an agreement for use by NGPC. The property has since been sold to a private landowner. Currently, longer formal easements are no longer in place for use of the access road to the WMA. This has resulted in difficulty for both public use and NGPC management. Ongoing negotiation with the current adjacent landowner has not yet been successful; therefore, NGPC needs the opportunity to explore various solutions to the problem of providing public access to South Twin WMA.

Transferring the federal interest from the South Twin WMA to a similar property with adequate public access would ensure that the purpose and objectives for originally acquiring South Twin WMA with WR grant funds would be attained more effectively. It would also provide NGPC with the greatest flexibility in determining and implementing a public access solution at South Twin WMA.

ALTERNATIVES

ALTERNATIVE A (PREFERRED ACTION)

NGPC proposes to transfer the WR Program real property interest in South Twin WMA to the 165.21-acre American Game Marsh WMA which is located approximately 2.4 miles east of South Twin WMA in Brown County, Nebraska.



American Game Marsh WMA was gifted to NGPC in 1965. The wildlife habitat of the two properties is very similar. South Twin WMA consists of approximately 55 surface acres of water, 100 acres of grassland, and 5 acres of planted woodlands. American Game Marsh consists of approximately 77 surface acres of water, 85 acres of grassland, and 3 acres of riparian woodland. The primary use for both WMA's is waterfowl hunting. American Game Marsh WMA experiences heavier public use and is located directly adjacent to a maintained public road with adequate parking for the public to use. The primary management activities that occur on American Game Marsh WMA include fence maintenance, parking area maintenance, sign maintenance, and noxious weed control.

Following transfer of the federal interest from South Twin WMA to American Game Marsh WMA, the current management activities on both properties would continue. Federal dollars will no longer be used to operate and manage South Twin WMA as there is currently no public access. NGPC will continue to work with the adjacent private landowner to secure an easement for public access that is satisfactory to both entities. Federal dollars may again be used in the future for operation and management of South Twin WMA once access has been re-established.

The current market value of both South Twin WMA and American Game Marsh WMA has been determined through the preparation and review of appraisals in compliance with the Uniform Standards of Professional Appraisal Practices and the Uniform Appraisal Standards for Federal Land Acquisitions. South Twin WMA is valued at \$150,000.00 and American Game Marsh at \$253,000.00.

Alternative B (No Action)

If no action is taken, the federal interest in South Twin WMA will remain unchanged. The existing challenges associated with the complex landownership patterns surrounding the WMA and lack of public access to the site would continue to impact the ability of NGPC to manage the property and to maintain the purpose for which the property was originally acquired.

Other Alternatives Considered

Outright sale of South Twin WMA is an option available to NGPC. However, this would not be the preferred alternative due to the decrease in NGPC owned sites for conservation of wildlife, habitat, and public use opportunities.

AFFECTED ENVIRONMENT

SOUTH TWIN WMA

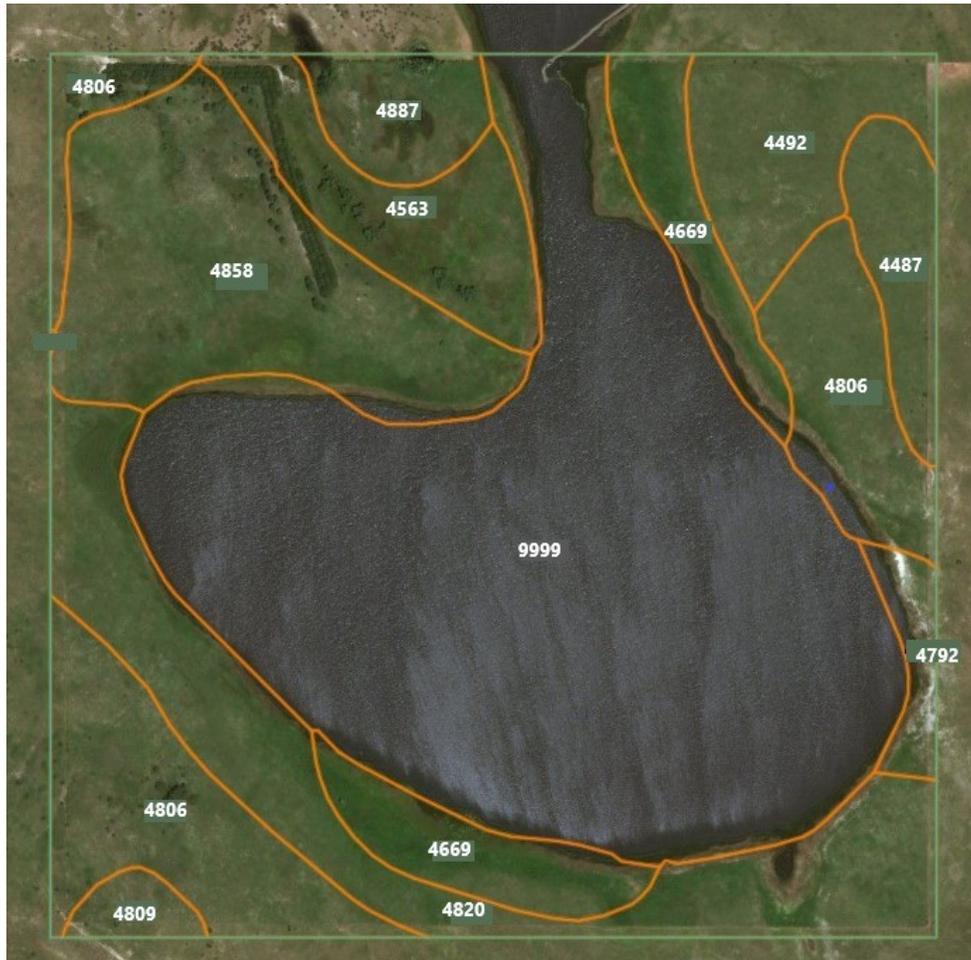
Location

The 160.46-acre South Twin WMA is located approximately 19 miles south and 2.5 miles west of Johnstown in Brown County, Nebraska. It is described legally as the E1/2NW1/4 and W1/2NE1/4 of Section Sixteen (16) in Township Twenty-Seven (27) North, Range Twenty-Four (24) West of the Sixth Principal Meridian (6th P.M.).



Prime and Unique Farmlands

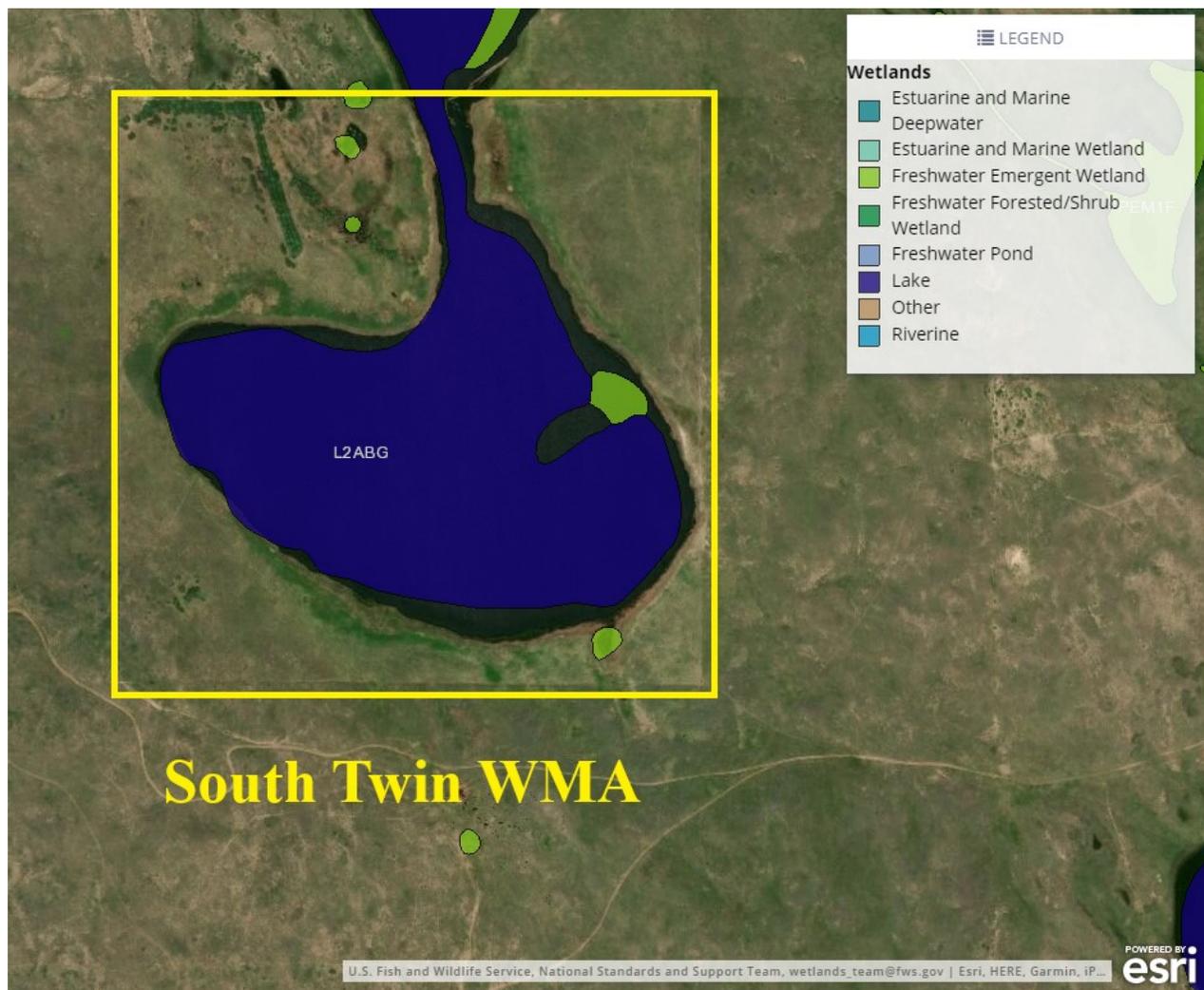
The South Twin WMA lies within the Nebraska Sandhills ecoregion, and is made up of Valentine loamy fine sand soil, Gannett fine sandy loam, Loup fine sandy loam, and Dunday loamy fine sand soil types. None of these soils are considered prime or unique farmland or farmland of statewide importance. No agricultural type activities are occurring on South Twin WMA.



Map unit symbol	Map unit name	Rating
4487	Dunday loamy fine sand, 0 to 3 percent slopes, moist	Not prime farmland
4492	Dunday loamy fine sand, 3 to 9 percent slopes, moist	Not prime farmland
4563	Els-Tryon complex, 0 to 3 percent slopes	Not prime farmland
4575	Gannett fine sandy loam, 0 to 1 percent slopes	Not prime farmland
4669	Loup fine sandy loam, frequently ponded	Not prime farmland
4792	Valentine fine sand, 3 to 9 percent slopes, moist	Not prime farmland
4806	Valentine fine sand, rolling, 9 to 24 percent slopes, moist	Not prime farmland
4809	Valentine fine sand, rolling and hilly, 9 to 60 percent slopes , moist	Not prime farmland
4820	Valentine loamy fine sand, 3 to 9 percent slopes, moist	Not prime farmland
4858	Valentine-Els complex, moist, 0 to 9 percent slopes	Not prime farmland
4887	Valentine-Tryon, complex, 0 to 24 percent slopes, moist	Not prime farmland
9999	Water	Not prime farmland

Wetlands and Floodplains

South Twin WMA is described in the USFWS Wetland Inventory as a Lacustrine System which includes wetlands and deepwater habitats with all of the following characteristics: (1) situated in a topographic depression or a dammed river channel; (2) lacking trees, shrubs, persistent emergents, and emergent mosses or lichens with 30 percent or greater areal coverage; and (3) total area of at least 8 hectares (ha) (20 acres). Similar wetlands and deepwater habitats totaling less than 8 ha are also included in the Lacustrine System if an active wave-formed or bedrock shoreline feature makes up all or part of the boundary, or if the water depth in the deepest part of the basin equals or exceeds 2.5 m (8.2 ft) at low water. Lacustrine waters may be tidal or nontidal, but ocean-derived salinity is always less than 0.5 ppt. Subsystem Littoral (2): This Subsystem includes all wetland habitats in the Lacustrine System and extends from the shoreward boundary of the System to a depth of 2.5 m (8.2 ft) below low water, or to the maximum extent of nonpersistent emergents if these grow at depths greater than 2.5 m. Class Aquatic Bed (AB): Includes wetlands and deepwater habitats dominated by plants that grow principally on or below the surface of the water for most of the growing season in most years. Water Regime Intermittently Exposed (G): Water covers the substrate throughout the year except in years of extreme drought.



According to the Federal Emergency Management Agency, floodplain maps have not been developed for the area around and including the South Twin WMA.

Vegetation Resources

South Twin WMA is dominated by lake and marsh communities. Coontail (*Ceratophyllum demersum*), Duckweeds (*Lemna spp.*), and Watermeal (*Wolffia spp.*) are common submersed and floating plants. Broadleaf Cattail (*Typha latifolia*) and Hardstem Bulrush (*Schoenoplectus acutus*) dominate the herbaceous community near the water. Prairie Cordgrass (*Spartina pectinata*) or Reed Canarygrass (*Phalaris arundinacea*) become more dominant in areas as we move away from the lakes. Kentucky Bluegrass (*Poa pratensis*) can be found where groundwater is near the surface or where shading from woody species occurs. Common forbs include Swamp Milkweed (*Asclepias incarnata*), Common Hedge-nettle (*Stachys pilosa var. pilosa*), Marsh Skullcap (*Scutellaria galericulata*), and Winged Loosestrife (*Lythrum alatum*). Farther from the lakes the influence of ground water decreases and Sandhills prairie in the dominate community. Common species included Sand Bluestem (*Andropogon hallii*), Prairie Sandreed (*Calamovilfa longifolia*), Indiangrass (*Sorghastrum nutans*), Switchgrass (*Panicum virgatum*), Little Bluestem (*Schizachyrium scoparium*), Sand Dropseed (*Sporobolus cryptandrus*), Needleandthread (*Hesperostipa comata*), Scribner's Rosette Grass (*Dichanthelium oligosanthes var. scribnerianum*), Blue Grama (*Bouteloua gracilis*), Prairie Junegrass (*Koeleria macrantha*), Western Wheatgrass (*Pascopyrum smithii*), Sand Paspalum (*Paspalum setaceum*), and Sun Sedge (*Carex heliophila*). Some of the many native forb species include Yarrow (*Achillea millefolium*), Western Ragweed (*Ambrosia psilostachya*), Stiff Sunflower (*Helianthus pauciflorus*), Goldenrods (*Solidago spp.*), White Sage (*Artemisia ludoviciana*), Plains Sunflower (*Helianthus petiolaris*), Prairie Spiderwort (*Tradescantia occidentalis*), Flodman's Thistle (*Cirsium flodmanii*), Gayfeathers (*Liatris spp.*), and Shell-leaf Penstemon (*Penstemon grandiflorus*). The shrubs include Leadplant (*Amorpha canescens*), Western Sandcherry (*Prunus pumila var. besseyi*), Prairie Rose (*Rosa arkansana*) and Willows (*Salix spp.*). Yucca (*Yucca glauca*) is also common on the higher ground.

Wildlife Resources

The South Twin WMA hosts a variety of resident and migratory wildlife, both game and non-game species. Specific species composition reflects the habitat composition, habitat conditions, and season of the year. Common game species located on and around the area include Blue-winged Teal (*Anas dicors*), Canada Goose (*Branta canadensis*), Northern Shoveler (*Anas clypeata*), Mallard (*Anas platyrhynchos*), Wood Duck (*Aix sponsa*), Ring-necked Duck (*Aythya collaris*), American Coot (*Fulica americana*), American Wigeon (*Anas americana*), Northern Pintail (*Anas acuta*), Mourning Dove (*Zenaida macroura*), Redhead (*Aythya americana*), Sora (*Porzana carolina*), Lesser Scaup (*Aythya affinis*), Gadwall (*Anas strepera*), Bufflehead (*Bucephala albeola*), Mule Deer (*Odocoileus hemionus*), White-tailed Deer (*Odocoileus virginianus*), Wild Turkey (*Meleagris gallopavo*), Muskrat (*Ondatra zibethicus*), Mink (*Neovison vison*), Eastern Cottontail (*Sylvilagus floridanus*), Sharp-tailed Grouse (*Tympanuchus phasianellus*), Greater Prairie-chicken (*Tympanuchus cupido*), Ring-necked Pheasant (*Phasianus colchicus*), and American Badger (*Taxidea taxus*). Non-game species commonly located on or in the vicinity of the area include thirteen-lined Ground Squirrel (*Spermophilus tridecemlineatus*), Plains Pocket Gopher (*Geomys bursarius*), Deer Mouse (*Peromyscus maniculatus*), Prairie Vole (*Microrts ochrogaster*), Coyote (*Canis latrans*), American White Pelican (*Pelecanus erythrorhynchos*), Marsh Wren (*Cistothorus palustris*), Common Yellowthroat (*Geothlypis trichas*), American Bittern (*Botaurus lentiginosus*), Great Blue Heron (*Ardea herodias*), Pied-billed Grebe (*Podilymbus podiceps*), Red-winged Blackbird (*Agelaius phoeniceus*), Yellow-headed Blackbird (*Xanthocephalus xanthocephalus*), Red-tailed Hawk (*Buteo jamaicensis*), Northern Harrier (*Circus cyaneus*), American Kestrel (*Falco sparverius*), Great Horned Owl (*Bubo virginianus*), Upland Sandpiper (*Bartramia longicauda*), Eastern Kingbird (*Tyrannus tyrannus*), Western Kingbird (*Tyrannus verticalis*), Yellow Warbler (*Dendroica petechia*), Orchard Oriole (*Icterus spurius*), Warbling Vireo (*Vireo gilvus*), Black-capped Chickadee (*Poecile atricapilla*), White-breasted

Nuthatch (*Sitta carolinensis*), Downy Woodpecker (*Picoides pubescens*), Hairy Woodpecker (*Picoides villosus*), Northern Flicker (*Colaptes chrysoides*), and Eastern Bluebird (*Sialia sialis*), Song Sparrow (*Melospiza melodia*), Lark Sparrow (*Chondestes grammacus*), Savannah Sparrow (*Passerculus sandwichensis*), Grasshopper Sparrow (*Ammodramus savannarum*), White-crowned Sparrow (*Zonotrichia leucophrys*), and Western Meadowlark (*Sturnella neglecta*).

Fish and Other Aquatic Species

South Twin WMA supports a shallow lake system. However, NGPC Fisheries staff have stocked Yellow Perch (*Perca flavescens*) in 1997. No sampling effort has occurred since then to determine if Yellow Perch persist.

Special Status Species

South Twin is located within the range of the federally and state-listed Western Prairie Fringed Orchid (*Platanthera praeclara*) and Blowout Penstemon (*Penstemon haydenii*) though neither has been found on the areas. Federally and state-listed American Burying Beetle (*Nicrophorus americanus*) have been found in the immediate vicinity and likely occur on both areas. Federally and state-listed Whooping Crane (*Grus americana*) could potentially use either area during migration however no use has been documented. The properties are located within the range of the federally and state-listed Northern Long-eared Bat but there is no suitable habitat present for this species. There are several state-only listed species for which the properties are located within or near the range, including River Otter (*Lontra canadensis*), Northern Redbelly Dace (*Chrosomus eos*) and Finescale Dace (*Chrosomus neogaeus*). However, there is no suitable habitat present for River Otter, Northern Redbelly Dace or Finescale dace.

Other species identified as Tier 1 at-risk species within the Nebraska Natural Legacy Plan that could occur in the vicinity of both areas include Black Tern (*Chlidonias niger*), Blanding's Turtle (*Emydoidea blandingii*), Plains Topminnow (*Fundulus sciadicus*), Regal Fritillary (*Speyeria idalia*), and Monarch (*Danaus plexippus*).

Historical, Cultural, and Archaeologic Resources

There are no known Historical, Cultural, or Archaeologic Resources known about South Twin WMA.

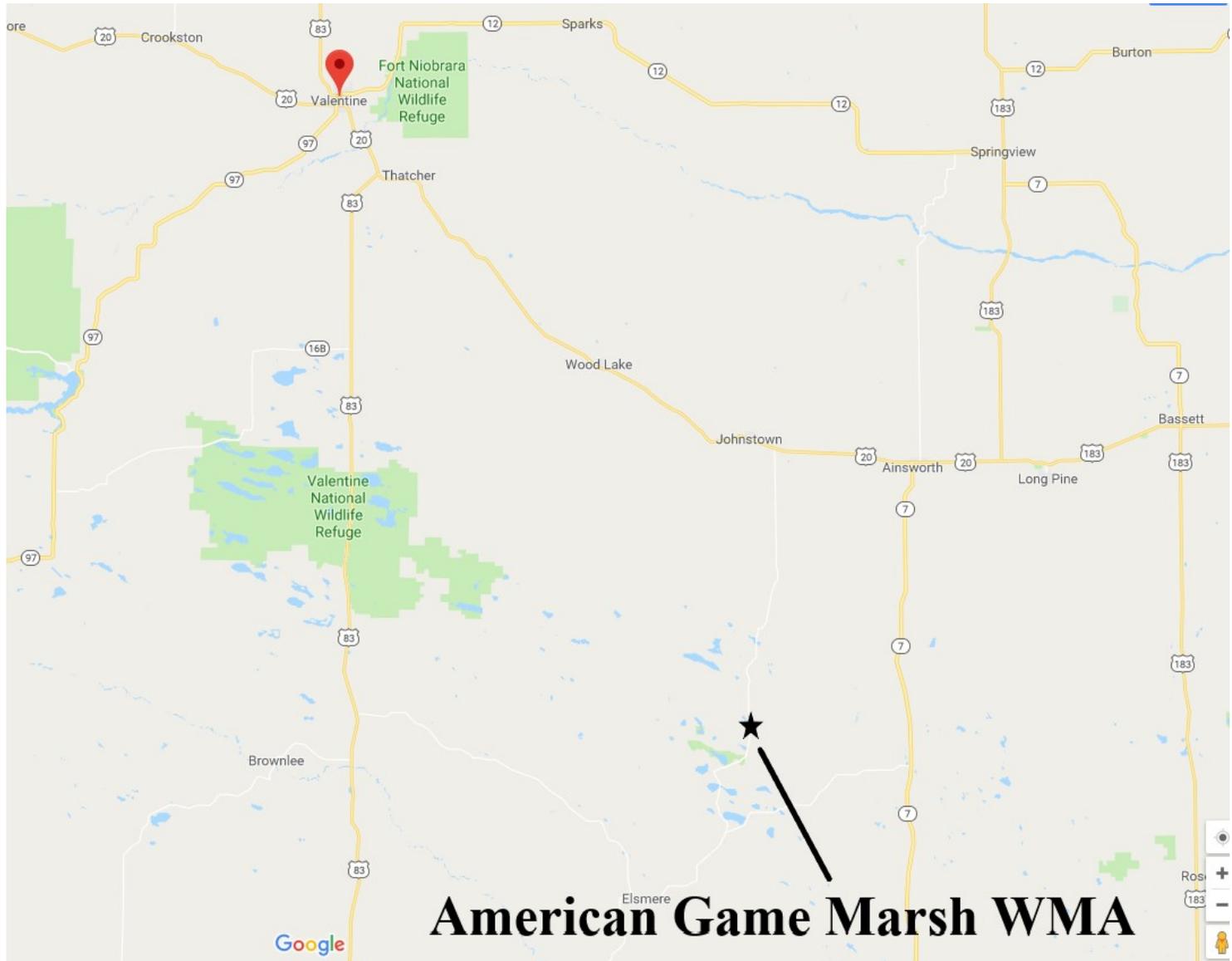
Management and Public Use

South Twin WMA is managed by NGPC for wildlife habitat and public hunting opportunities. It is used primarily by waterfowl hunters with some use by upland game hunters although use is low due to the WMA's remote location and, currently, its difficult access.

AMERICAN GAME MARSH WMA

Location

The 165.21 acre American Game Marsh is located 19 miles south of Johnstown, NE in Brown County. It is described legally as part of S1/2NW, part of SW, part of W1/2SE, Section Thirteen (13) being located in Township Twenty-Seven (27) North, Range Twenty-Four (24) West of the Sixth Principal Meridian (6th P.M.), Sioux County, Nebraska.



Prime and Unique Farmlands

American Game Marsh WMA contains no prime farmland or farmland of statewide importance. No conversion of non-agricultural lands to agricultural use is anticipated as a result of this proposed land exchange. The area is in the Nebraska Sandhills ecoregion, and is made up of Valentine loamy fine sand soil, Gannett fine sandy loam, Loup fine sandy loam, and Dunday loamy fine sand soil types. There are no agricultural activities occurring on American Game Marsh WMA.



Tables — Farmland Classification — Summary By Map Unit

Summary by Map Unit — Brown County, Nebraska (NE017)

Summary by Map Unit — Brown County, Nebraska (NE017)

Map unit symbol	Map unit name	Rating
4662	Loup fine sandy loam, 0 to 1 percent slopes	Not prime farmland
4683	Marlake fine sandy loam, frequently ponded	Not prime farmland
4792	Valentine fine sand, 3 to 9 percent slopes, moist	Not prime farmland
9999	Water	Not prime farmland

Wetlands and Floodplains

American Game Marsh WMA is described in the USFWS Wetland Inventory as a Palustrine System which includes all nontidal wetlands dominated by trees, shrubs, persistent emergents, emergent mosses or lichens, and all such wetlands that occur in tidal areas where salinity due to ocean-derived salts is below 0.5 ppt. It also includes wetlands lacking such vegetation, but with all of the following four characteristics: (1) area less than 8 ha (20 acres); (2) active wave-formed or bedrock shoreline features lacking; (3) water depth in the deepest part of basin less than 2.5 m (8.2 ft) at low water; and (4) salinity due to ocean-derived salts less than 0.5 ppt. class Emergent (EM) : Characterized by erect, rooted, herbaceous hydrophytes, excluding mosses and lichens. This vegetation is present for most of the growing season in most years. These wetlands are usually dominated by perennial plants. Subclass Persistent (1) : Dominated by species that normally remain standing at least until the beginning of the next growing season. This subclass is found only in the Estuarine and Palustrine systems. Water Regime Semipermanently Flooded (F) : Surface water persists throughout the growing season in most years. When surface water is absent, the water table is usually at or very near the land surface.



According to the Federal Emergency Management Agency, floodplain maps have not been developed for the area around and including the American Game Marsh WMA.

Vegetation Resources

American Game Marsh WMA is dominated by lake and marsh communities. Coontail (*Ceratophyllum demersum*), Duckweeds (*Lemna spp.*), and Watermeal (*Wolffia spp.*) are common submersed and

floating plants. Broadleaf Cattail (*Typha latifolia*) and Hardstem Bulrush (*Schoenoplectus acutus*) dominate the herbaceous community near the water. Prairie Cordgrass (*Spartina pectinata*) or Reed Canarygrass (*Phalaris arundinacea*) become more dominant in areas as we move away from the lakes. Kentucky Bluegrass (*Poa pratensis*) can be found where groundwater is near the surface or where shading from woody species occurs. Common forbs include Swamp Milkweed (*Asclepias incarnata*), Common Hedge-nettle (*Stachys pilosa* var. *pilosa*), Marsh Skullcap (*Scutellaria galericulata*), and Winged Loosestrife (*Lythrum alatum*). Farther from the lakes the influence of ground water decreases and Sandhills prairie in the dominate community. Common species included Sand Bluestem (*Andropogon hallii*), Prairie Sandreed (*Calamovilfa longifolia*), Indiangrass (*Sorghastrum nutans*), Switchgrass (*Panicum virgatum*), Little Bluestem (*Schizachyrium scoparium*), Sand Dropseed (*Sporobolus cryptandrus*), Needleandthread (*Hesperostipa comata*), Scribner's Rosette Grass (*Dichanthelium oligosanthes* var. *scribnerianum*), Blue Grama (*Bouteloua gracilis*), Prairie Junegrass (*Koeleria macrantha*), Western Wheatgrass (*Pascopyrum smithii*), Sand Paspalum (*Paspalum setaceum*), and Sun Sedge (*Carex heliophila*). Some of the many native forb species include Yarrow (*Achillea millefolium*), Western Ragweed (*Ambrosia psilostachya*), Stiff Sunflower (*Helianthus pauciflorus*), Goldenrods (*Solidago* spp.), White Sage (*Artemisia ludoviciana*), Plains Sunflower (*Helianthus petiolaris*), Prairie Spiderwort (*Tradescantia occidentalis*), Flodman's Thistle (*Cirsium flodmanii*), Gayfeathers (*Liatris* spp.), and Shell-leaf Penstemon (*Penstemon grandiflorus*). The shrubs include Leadplant (*Amorpha canescens*), Western Sandcherry (*Prunus pumila* var. *besseyi*), Prairie Rose (*Rosa arkansana*) and Willows (*Salix* spp.). Yucca (*Yucca glauca*) is also common on the higher ground.

Wildlife Resources

The American Game Marsh WMA hosts a variety of resident and migratory wildlife, both game and non-game species. Specific species composition reflects the habitat composition, habitat conditions, and season of the year. Common game species located on and around the area include Blue-Winged Teal (*Anas dicors*), Canada Goose (*Branta canadensis*), Northern Shoveler (*Anas clypeata*), Mallard (*Anas platyrhynchos*), Wood Duck (*Aix sponsa*), Ring-necked Duck (*Aythya collaris*), American Coot (*Fulica americana*), American Wigeon (*Anas americana*), Northern Pintail (*Anas acuta*), Mourning Dove (*Zenaida macroura*), Redhead (*Aythya americana*), Sora (*Porzana carolina*), Lesser Scaup (*Aythya affinis*), Gadwall (*Anas strepera*), Bufflehead (*Bucephala albeola*), Mule Deer (*Odocoileus hemionus*), White-tailed Deer (*Odocoileus virginianus*), Wild Turkey (*Meleagris gallopavo*), Muskrat (*Ondatra zibethicus*), Mink (*Neovison vison*), Eastern Cottontail (*Sylvilagus floridanus*), Sharp-tailed Grouse (*Tympanuchus phasianellus*), Greater Prairie-chicken (*Tympanuchus cupido*), Ring-necked Pheasant (*Phasianus colchicus*), and American Badger (*Taxidea taxus*). Non-game species commonly located on or in the vicinity of the area include thirteen-lined Ground Squirrel (*Spermophilus tridecemlineatus*), Plains Pocket Gopher (*Geomys bursarius*), Deer Mouse (*Peromyscus maniculatus*), Prairie Vole (*Microtus ochrogaster*), Coyote (*Canis latrans*), American White Pelican (*Pelecanus erythrorhynchos*), Marsh Wren (*Cistothorus palustris*), Common Yellowthroat (*Geothlypis trichas*), American Bittern (*Botaurus lentiginosus*), Great Blue Heron (*Ardea herodias*), Pied-billed Grebe (*Podilymbus podiceps*), Red-inged Blackbird (*Agelaius phoeniceus*), Yellow-headed Blackbird (*Xanthocephalus xanthocephalus*), Red-tailed Hawk (*Buteo jamaicensis*), Northern Harrier (*Circus cyaneus*), American Kestrel (*Falco sparverius*), Great Horned Owl (*Bubo virginianus*), Upland Sandpiper (*Bartramia longicauda*), Eastern Kingbird (*Tyrannus tyrannus*), Western Kingbird (*Tyrannus verticalis*), Yellow Warbler (*Dendroica petechia*), Orchard Oriole (*Icterus spurius*), Warbling Vireo (*Vireo gilvus*), Black-capped Chickadee (*Poecile atricapilla*), White-breasted Nuthatch (*Sitta carolinensis*), Downy Woodpecker (*Picoides pubescens*), Hairy Woodpecker (*Picoides villosus*), Northern Flicker (*Colaptes chrysoides*), and Eastern Bluebird (*Sialia sialis*), Song Sparrow (*Melospiza melodia*), Lark Sparrow (*Chondestes grammacus*), Savannah Sparrow (*Passerculus sandwichensis*), Grasshopper Sparrow (*Ammodramus savannarum*), White-crowned Sparrow (*Zonotrichia leucophrys*), and Western Meadowlark (*Sturnella neglecta*).

Fish and Other Aquatic Species

American Game Marsh is shallow enough that winter kill of game fish species would be likely. NGPC Fisheries staff have not attempted to survey and manage fish species here.

Special Status Species

American Game Marsh WMA is located within the range of the federally and state-listed Western Prairie Fringed Orchid (*Platanthera praeclara*) and Blowout Penstemon (*Penstemon haydenii*) though neither has been found on the areas. Federally and state-listed American Burying Beetle (*Nicrophorus americanus*) have been found in the immediate vicinity and likely occur on both areas. Federally and state-listed Whooping Crane (*Grus americana*) could potentially use either area during migration however none have been documented. The properties are located within the range of the federally and state-listed Northern Long-eared Bat but there is no suitable habitat present for this species. There are several state-only listed species for which the properties are located within or near the range, including River Otter (*Lontra canadensis*), Northern Redbelly Dace (*Chrosomus eos*) and Finescale Dace (*Chrosomus neogaeus*). However, there is no suitable habitat present for River Otter, Northern Redbelly Dace or Finescale Dace. Other species identified as Tier 1 at-risk species within the Nebraska Natural Legacy Plan that could occur in the vicinity of both areas include Black Tern (*Chlidonias niger*), Blanding's Turtle (*Emydoidea blandingii*), Plains Topminnow (*Fundulus sciadicus*), Regal Fritillary (*Speyeria idalia*), and Monarch (*Danaus plexippus*).

Historical, Cultural, and Archaeologic Resources

No historical, cultural, or archaeological resources are known to occur on the American Game Marsh WMA.

Management and Public Use

American Game Marsh WMA is managed for wildlife habitat, particularly waterfowl, and public hunting opportunities. Public use of the area is primarily for waterfowl hunting with a lesser amount of upland game hunting. It is likely more heavily used than South Twin WMA due to the larger wetland, higher waterfowl use, and ease of access.

ENVIRONMENTAL CONSEQUENCES

ALTERNATIVE A (PREFERRED ACTION)

Prime and Unique Farmland

None of the land in both South Twin WMA and American Game Marsh WMA is categorized as prime or unique farmland according to NRCS soil information. Therefore, the preferred action would not result in any impacts to Prime or Unique Farmland. Further, current use and management of both of these properties by NGPC does not include the conversion of any agricultural lands to non-agricultural uses.

Wetlands and Floodplains

South Twin WMA and American Game Marsh will continue to be operated and maintained as they are currently, therefore, neither wetlands nor floodplains will be impacted by the preferred action.

Vegetation

South Twin WMA and American Game Marsh will continue to be operated and maintained as they are currently, therefore, vegetation will not be impacted by the preferred action.

Wildlife

South Twin WMA and American Game Marsh will continue to be operated and maintained as they are currently, therefore, wildlife will not be impacted directly by the preferred action.

Fish and Aquatic Species

South Twin WMA and American Game Marsh will continue to be operated and maintained as they are currently, therefore, fish and aquatic species will not be impacted by the preferred action.

Special Status Species

South Twin WMA and American Game Marsh will continue to be operated and maintained as they are currently, therefore, no special status species will be impacted by the preferred action.

This project does not involve any physical work or ground disturbance at either of the properties. Therefore, there will be no effect to any federally listed threatened or endangered species or their critical habitats.

Historical, Cultural, and Archaeologic Resources

The Nebraska Office of the State Historic Preservation Officer (SHPO) has determined that undertaking the preferred action is unlikely to impact archaeological sites within both WMA's. Therefore SHPO has made a determination of "no historic properties affected" by this action. A letter of concurrence from the SHPO is included in the first appendix.

Management and Public Use

NGPC will continue to manage habitat for game and non-game species benefits on both WMA's, and provide for current use on both areas as described in the Alternatives section. NGPC will continue to make efforts to come to agreement with the adjacent landowner to South Twin WMA in order to re-establish public access. Both areas will continue to be operated and maintained as they are currently, with the operation and maintenance of South Twin WMA to be paid for with State funds only due to the current lack of public access.

ALTERNATIVE B (NO ACTION)

Prime and Unique Farmland

None of the land in both South Twin WMA and American Game Marsh WMA is categorized as prime or unique farmland according to NRCS soil information. Therefore, the no action alternative would not result in any impacts to Prime or Unique Farmland.

Wetlands and Floodplains

South Twin WMA and American Game Marsh will continue to be operated and maintained as they are currently, therefore, neither wetlands nor floodplains will be impacted by the no action alternative.

Vegetation

South Twin WMA and American Game Marsh will continue to be operated and maintained as they are currently, therefore, vegetation will not be impacted by the no action alternative.

Wildlife

South Twin WMA and American Game Marsh will continue to be operated and maintained as they are currently, therefore, wildlife will not be impacted directly by the no action alternative.

Fish and Aquatic Species

South Twin WMA and American Game Marsh will continue to be operated and maintained as they are currently, therefore, fish and aquatic species will not be impacted by the no action alternative.

Special Status Species

South Twin WMA and American Game Marsh will continue to be operated and maintained as they are currently, therefore, no special status species will be impacted by the no action alternative.

This project does not involve any physical work or ground disturbance at either of the properties. Therefore, there will be no effect to any federally listed threatened or endangered species or their critical habitats.

Historical, Cultural, and Archaeologic Resources

No historical, cultural, or archaeological resources will be affected by the no action alternative.

Management and Public Use

Under the No Action alternative, the Wildlife Restoration program interest in South Twin WMA will remain and NGPC will continue to manage habitat for game and non-game species benefits and provide for current use on both areas as described in the Alternatives section.

In summary, when assessing the potential impacts of transferring the federal interest from South Twin WMA to American Game Marsh WMA, the Preferred Action would cause no significant adverse impacts to any of the resources or uses at either property.

CUMMULATIVE IMPACTS

No cumulative impacts to either WMA or the surrounding properties are anticipated from undertaking either Alternative. Both WMAs have been managed as wildlife habitat for decades and NGPC would continue to maintain the management. Therefore, no change in the characteristics of these areas or the nature of the use would occur which could lead to other types of impacts to the existing resources or the surrounding human environment.

PUBLIC REVIEW

The U.S. Fish and Wildlife Service (Service) will release this draft environmental assessment for public comment. Comments will be accepted through an adequate time frame to allow sufficient time for comments to be received.

LIST OF PREPARERS

Pat Molini, Assistant Division Administrator, NGPC, Lincoln, NE
Lucas Negas, District Manager, NGPC, Norfolk, NE
Carey Grell, Environmental Analyst, NGPC, Lincoln, NE
Ted LaGrange, Wetland Program Manager, NGPC, Lincoln, NE
Tammy Snyder, Administrator, NGPC, Lincoln, NE
Charla Rasmussen, Realtor, NGPC, Lincoln, NE
Trisha Schlake, GIS Applications Developer, NGPC, Lincoln, NE
Kelly Corman, Wildlife Biologist II, Wildlife, NGPC, Bassett, NE
Kayla Barrett, U.S. Fish and Wildlife Service, Denver, CO
Jacqueline Trout, U.S. Fish and Wildlife Service, Denver, CO

APPENDIX A

Lucas Negus
Northeast District Manager
Management Section
2201 N 13th St
Norfolk, NE 68701

February 25, 2019

RE: HP#1902-125-01; Transfer of Federal Aid from South Twin Wildlife Management Area (160.46 acres - Sect. 16, T27N, R24W) to American Game Marsh Wildlife Management Area (165.21 acres - Sect. 13, T27N, R24W, Brown County

Dear Mr. Negus:

Thank you for submitting the information for the above referenced project for Nebraska State Historic Preservation Office (NeSHPO) review and comment under Section 106 of the National Historic Preservation Act of 1966, as amended in 2014 (Title 54 U.S.C. § 306108 [formerly 16 U.S.C. § 470f]), and its implementing regulations at 36 CFR§800.

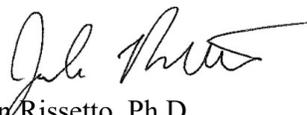
According to the information provided along with a check of NeSHPO records, the proposed transfer of federal aid from the South Twin Wildlife WMA to the American Game Marsh WMA in Brown County, Nebraska are unlikely to impact any prehistoric or historic cultural resources listed on the National Register of Historic Places or eligible for such a listing. Thus, a determination of *no historic properties affected* is appropriate for this undertaking and the project should continue as planned.

However, since both project areas have not been directly evaluated by professional archeologists there is the possibility that currently buried or otherwise obscured cultural or human remains may be discovered during or after this undertaking. If any such discovery is made or if the project area becomes expanded in any way, please contact this office immediately for further instruction.

Be advised that this determination does not necessarily reflect the opinion of Native American Tribes that may have an interest in the area, nor does it to pertain to Traditional Cultural Properties, if they exist in the area.

Please submit this letter to the project's lead federal agency to fulfill the statutory obligation of Section 106 consultation with the Nebraska State Historic Preservation Office. Should you have any questions regarding this determination, please contact this office by phone (402-471-2609) or email (John.Rissetto@nebraska.gov).

Sincerely,



John Rissetto, Ph.D.
Preservation Archeologist

PLEASE NOTE
ADDRESS CHANGE

1500 R Street
Lincoln, Nebraska
68508-1651
P: 402.471.4787

APPENDIX B

Wetland Impacts Review

From: LaGrange, Ted <ted.lagrange@nebraska.gov>
Sent: Wednesday, February 06, 2019 3:12 PM
To: Negus, Lucas <Lucas.Negus@nebraska.gov>
Subject: RE: wetland review

Lucas,

I have completed a federal aid wetland review of the project to transfer federal interest in South Twin (Brown County) WMA to American Game Marsh WMA. Based on the information provided, it is my opinion that this project will not negatively impact wetlands, in fact there are more wetlands present at American Game Marsh WMA than at South Twin WMA. If you need additional input or review, please let me know. Thanks!

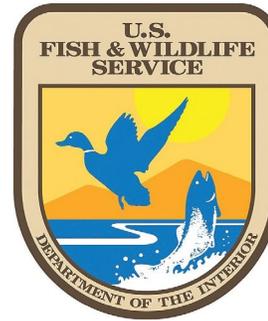
Also, if you need my input on the draft EA, please let me know.

Ted LaGrange
Wetland Program Manager
Nebraska Game and Parks Commission
P.O. Box 30370
Lincoln, NE 68503
Phone: (402) 471-5436
ted.lagrange@nebraska.gov

Visit us on the web at www.NebraskaWetlands.com

APPENDIX C

Threatened and Endangered Species Impact Review (CERT)



Environmental Review Report

Project Information

Report Generation Date:	1/14/2019 03:50:35 PM
Project Title:	South Twin/American Game Marsh Federer interest transfer
User Project Number(s):	1
System Project ID:	NE-CERT-001015
Project Type:	Other
Project Activities:	None Selected
Project Size:	3,165.51 acres
County(s):	Brown
Watershed(s):	Loup
Watershed(s) HUC 8:	Calamus
Watershed(s) HUC 12:	Crystal Lake; Enders Lake; Moon Lake-Calamus River
Biologically Unique Landscape(s):	Upper Loup Rivers
Township/Range and/or Section(s):	027N024W
Latitude/Longitude:	42.311958 / -100.091800

Contact Information

Organization:	NGPC
Contact Name:	Lucas Negus
Contact Phone:	4023703374
Contact Email:	lucas.negus@nebraska.gov
Contact Address:	2201 N 13th ST Norfolk NE 68701
Prepared By:	
Submitted On Behalf Of:	

Project Description

We propose a transfer of federal interest (federal aid) from South Twin WMA to American Game Marsh WMA. No physical work will occur on either area as part of this review.

Introduction

The Nebraska Game and Parks Commission (Commission) and the U.S. Fish and Wildlife Service (Service) have special concerns for endangered and threatened species, migratory birds, and other fish and wildlife and their habitats. Habitats frequently used by fish and wildlife species are wetlands, streams, riparian areas, woodlands, and grasslands. Special attention is given to proposed projects which modify wetlands, alter streams, result in loss of riparian habitat, convert/remove grasslands, or contaminate habitats. When this occurs, the Commission and Service recommend ways to avoid, minimize, or compensate for adverse effects to fish and wildlife and their habitats.

CONSULTATION PURSUANT TO THE NEBRASKA NONGAME AND ENDANGERED SPECIES CONSERVATION ACT (NESCA)

The Commission has responsibility for protecting state-listed endangered and threatened species under authority of the Nongame and Endangered Species Conservation Act (NESCA) (Neb. Rev. Stat. § 37-801 to 37-811). Pursuant to § 37-807 (3) of NESCA, all state agencies shall, in consultation with the Commission, ensure projects they authorize (i.e., issue a permit for), fund or carry out do not jeopardize the continued existence of state-listed endangered or threatened species or result in the destruction or modification of habitat of such species which is determined by the Commission to be critical. If a proposed project may affect state-listed species or designated critical habitat, further consultation with the Commission is required.

Informal consultation pursuant to NESCA can be completed by using the Conservation and Environmental Review Tool (CERT). The CERT analyzes the project type and location, and based on the analysis, provides information about potential impacts to listed species, habitat questions and/or conservation conditions. Project proponents can agree to implement conservation conditions as outlined in the report and applicable to the project type by signing in the designated areas and uploading the signed PDF as part of their "final" project submittal. By agreeing to and implementing the conservation conditions as outlined (if applicable), then further consultation with the Commission is not required. If the report indicates the project may have impacts on listed species, then further consultation with the Commission is required.

TECHNICAL ASSISTANCE AND CONSULTATION PURSUANT TO THE ENDANGERED SPECIES ACT (ESA)

The Service has responsibility for conservation and management of fish and wildlife resources for the benefit of the American public under the following authorities: 1) Endangered Species Act of 1973 (ESA); 2) Fish and Wildlife Coordination Act; 3) Bald and Golden Eagle Protection Act; and 4) Migratory Bird Treaty Act. The National Environmental Policy Act (NEPA) requires compliance with all of these statutes and regulations.

Pursuant to section 7(a)(2) of ESA, every federal agency, shall in consultation with the Service, ensure that an action they authorize, fund, or carry out is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat. If a proposed project may affect federally listed species or designated critical habitat, section 7 consultation is required with the Service. It is the responsibility of the lead federal action agency to fully evaluate all potential effects (direct and indirect) that may occur to listed species and critical habitat in the action area. The lead federal agency provides their effect determination to the Service for concurrence. If federally listed species and/or designated/proposed critical habitat would be adversely affected by implementation of the project, the lead federal agency will need to formally request further section 7 consultation with the Service prior to making any irretrievable or irreversible commitment of federal funds (section 7(d) of ESA), or issuing any federal permits or licenses.

At this time, **the information generated in this report DOES NOT satisfy consultation obligations between the lead federal agency and the Service pursuant to ESA.** For the purposes of ESA, the information in this report should be considered as TECHNICAL ASSISTANCE, and does not serve as the Service's concurrence letter, even if the user signs and agrees to implement conservation conditions in order to satisfy the consultation requirements of NESCA.

Overall Results

The following result is based on a detailed analysis of your project.

- Potential impacts on listed species may occur as a result of this project. Please sign and date the certification section, upload the document as "final," and contact the Nebraska Game and Parks Commission and U.S. Fish and Wildlife Service for further information.

Additional Information

Potential impacts on listed species may occur as a result of this project. Further consultation with the Nebraska Game and Parks Commission and the U.S. Fish and Wildlife Service is required.

Nebraska Game and Parks Commission Property

This project is within or near a property owned and/or managed by the Nebraska Game and Parks Commission (NGPC). Please contact the Nebraska Game and Parks Commission to determine if this project will have impacts on the property.

Certification

I certify that ALL of the project information in this report (including project location, project size/configuration, project type, project activities, answers to questions) is true, accurate, and complete. If the project type, activities, location, size, or configuration of the project change, or if any of the answers to any questions asked in this report change, then this information is no longer valid and we recommend running the revised project through CERT to get an updated report.

Negus Lucas
Applicant/project proponent signature Date 1/14/2019

Additional Considerations

Bald and Golden Eagle Protection Act

The federal Bald and Golden Eagle Protection Act (Eagle Act) (16 U.S.C. 668-668c) provides for the protection of the bald eagle (*Haliaeetus leucocephalus*) and golden eagle (*Aquila chrysaetos*). Under the Eagle Act, "take" of eagles, their parts, nests or eggs is prohibited. Disturbance resulting in injury to an eagle or a decrease in productivity or nest abandonment by substantially interfering with normal breeding, feeding, or sheltering behavior is a form of "take."

Bald eagles use mature, forested riparian areas near rivers, streams, lakes, and wetlands and occur along all the major river systems in Nebraska. The bald eagle southward migration begins as early as October and the wintering period extends from December-March. The golden eagle is found in arid open country with grassland for foraging in western Nebraska and usually near buttes or canyons which serve as nesting sites. Golden eagles are often a permanent resident in the Pine Ridge area of Nebraska. Additionally, many bald and golden eagles nest in Nebraska from midFebruary through mid-July. Disturbances within 0.5-miles of an active nest or within line-of-sight of the nest could cause adult eagles to discontinue nest building or to abandon eggs. Both bald and golden eagles frequent river systems in Nebraska during the winter where open water and forested corridors provide feeding, perching, and roosting habitats, respectively. The frequency and duration of eagle use of these habitats in the winter depends upon ice and weather conditions. Human disturbances and loss of wintering habitat can cause undue stress leading to cessation of feeding and failure to meet winter thermoregulatory requirements. These affects can reduce the carrying capacity of

preferred wintering habitat and reproductive success for the species.

To comply with the Eagle Act, it is recommended that the project proponent determine if the proposed project would impact bald or golden eagles or their habitats. This can be done by conducting a habitat assessment, surveying nesting habitat for active and inactive nests, and surveying potential winter roosting habitat to determine if it is being used by eagles. The area to be surveyed is dependent on the type of project; however for most projects we recommend surveying the project area and a ½ mile buffer around the project area. If it is determined that either species could be affected by the proposed project, the Commission recommends that the project proponent notify the Nebraska Game and Parks Commission as well as the Nebraska Field Office, U.S. Fish and Wildlife Service for recommendations to avoid “take” of bald and golden eagles.

Migratory Bird Treaty Act and Nebraska Revised Statute §37-540

We recommend the project proponent comply with the Migratory Bird Treaty Act (16 U.S.C. 703-712: Ch. 128 ***as amended***) (MBTA). The project proponent should also comply with Nebraska Revised Statute §37-540, which prohibits take and destruction of nests or eggs of protected birds (as defined in Nebraska Revised Statute §37-237.01). Construction activities in grassland, wetland, stream, woodland, and river bank habitats that would result in impacts on birds, their nests or eggs protected under these laws should be avoided. Although the provisions of these laws are applicable year-round, most migratory bird nesting activity in Nebraska occurs during the period of April 1 to July 15. However, some migratory birds are known to nest outside of the aforementioned primary nesting season period. For example, raptors can be expected to nest in woodland habitats during February 1 through July 15, whereas sedge wrens, which occur in some wetland habitats, normally nest from July 15 to September 10. If development in this area is planned to occur during the primary nesting season or at any other time which may result in impacts to birds, their nests or eggs protected under these laws, we request that the project proponent arrange to have a qualified biologist conduct a field survey of the affected habitats to determine the absence or presence of nesting migratory birds. If a field survey identifies the existence of one or more active bird nests that cannot be avoided by the planned construction activities, the Nebraska Game and Parks Commission and the Nebraska Field Office, U.S. Fish and Wildlife Service should be contacted immediately. For more information on avoiding impacts to migratory birds, their nests and eggs, or to report active bird nests that cannot be avoided by planned construction activities, please contact the U.S. Fish and Wildlife Service and/or the Nebraska Game and Parks Commission (contact information within report). Adherence to these guidelines will help avoid unnecessary impacts on migratory birds.

Fish and Wildlife Coordination Act

The Fish and Wildlife Coordination Act (FWCA) requires consultation with the U.S. Fish and Wildlife Service (Service) and the State fish and wildlife agency (i.e., Nebraska Game and Parks Commission) for the purpose of preventing loss of and damage to fish and wildlife resources in the planning, implementation, and operation of federal and federally funded, permitted, or licensed water resource development projects. This statute requires that federal agencies take into consideration the effect that the water related project would have on fish and wildlife resources, to take action to prevent loss or damage to these resources, and to provide for the development and improvement of these resources. The comments in this letter are provided as technical assistance only and are not the document required of the Secretary of the Interior pursuant to Section 2(b) of FWCA on any required federal environmental review or permit. This technical assistance is valid only for the described conditions and will have to be revised if significant environmental changes or changes in the proposed project take place. In order to determine whether the effects to fish and wildlife resources from the proposed project are being considered under FWCA, the lead federal agency must notify the Service in writing of how the comments and recommendations in this technical assistance letter are being considered into the proposed project.

Section 404 of the Clean Water Act

In general, the Nebraska Game and Parks Commission and the U.S. Fish and Wildlife Service have concerns for impacts to wetlands, streams and riparian habitats. We recommend that impacts to wetlands, streams, and associated riparian corridors be avoided and minimized, and that any unavoidable impacts to these habitats be mitigated. If any fill materials will be placed into waterways or wetlands, the U.S. Army Corps of Engineers Regulatory Office in

Omaha should be contacted to determine if a 404 permit is needed.

Agency Contact Information

Nebraska Game and Parks Commission

Carey Grell

2200 North 33rd Street 9325 South Alda Road Lincoln, NE 68503
68883

phone: (402) 471-5423 phone: (308) 382-6468 ext. 204 email: carey.grell@nebraska.govemail:
eliza_hines@fws.gov

U.S. Fish and Wildlife Service

Eliza Hines

Wood River, NE

OR

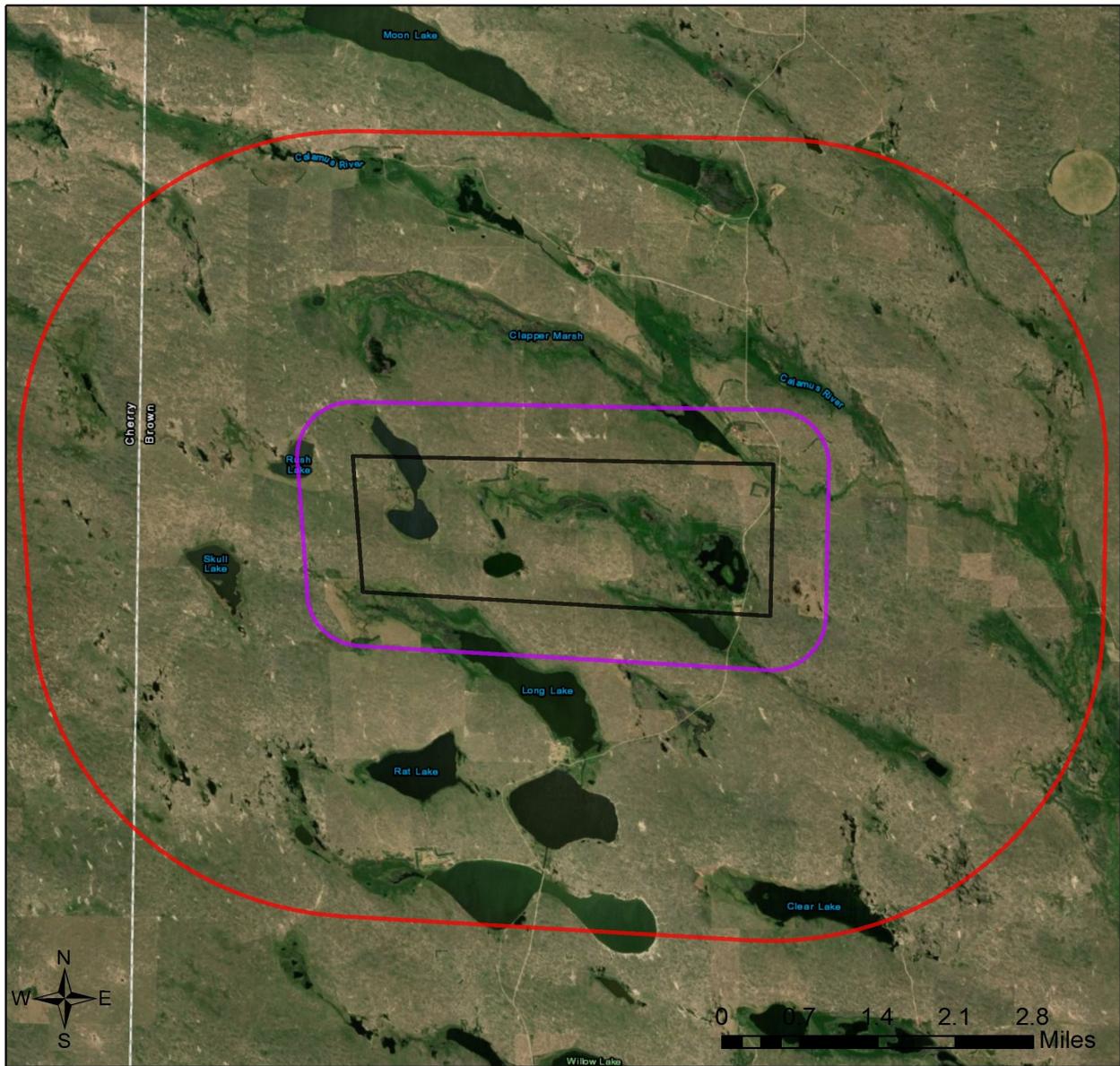
Michael Bernhardt

2200 North 33rd Street Lincoln, NE
68503 phone: (402) 471-5554 email:

michael.bernhardt@nebraska.gov

South Twin/American Game Marsh Federer interest transfer

Aerial Image Basemap With Locator Map



- Project Boundary
- Project Review Boundary
- 3-mile Information Buffer Boundary

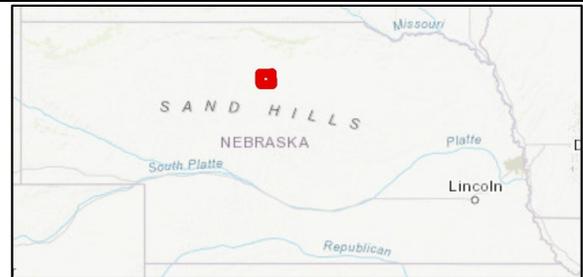
Project Size (acres): 3,165.51

Lat/Long (DD): 42.3120 / -100.0918

County(s): Brown

BUL(s): Upper Loup Rivers

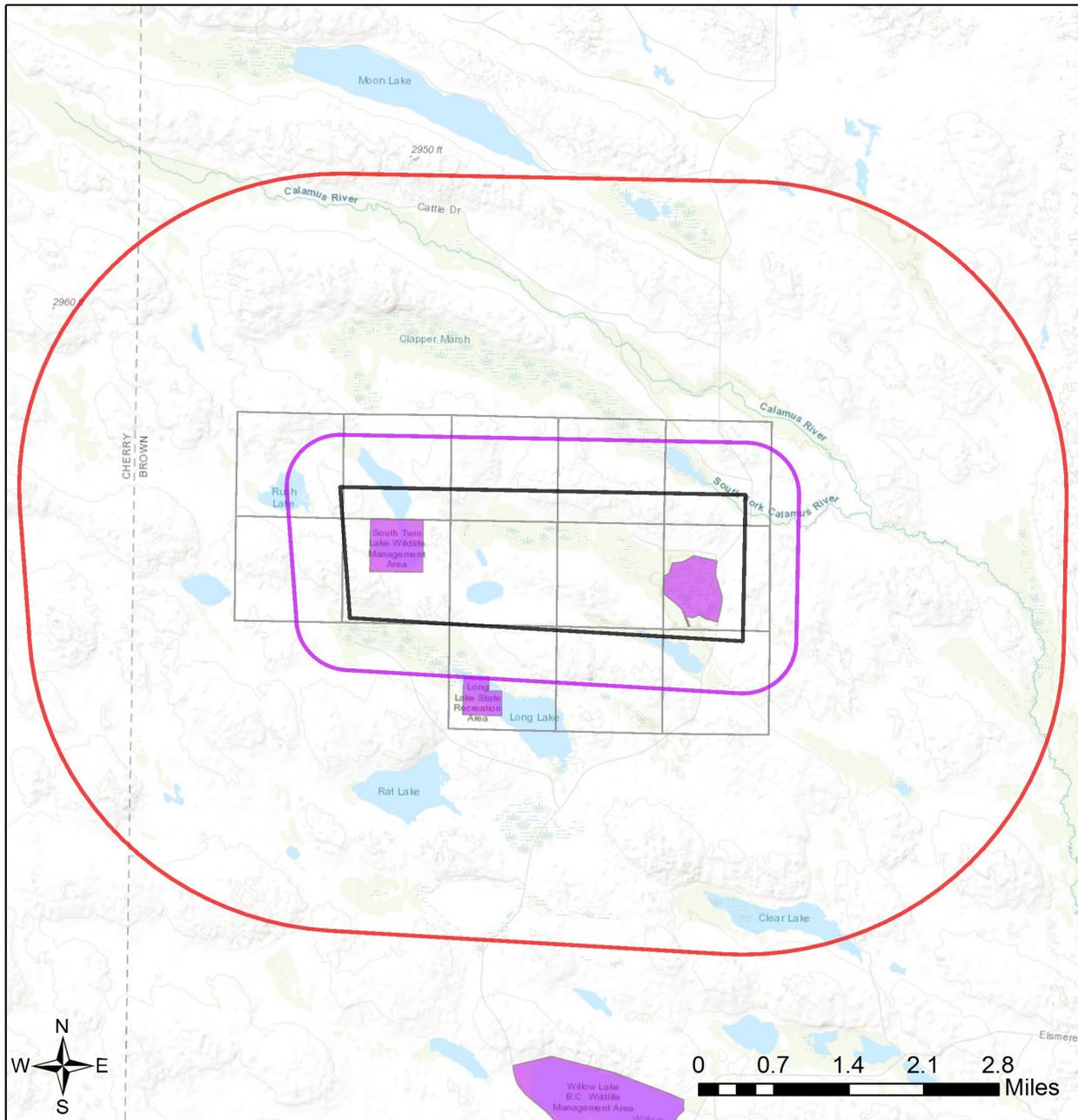
Township/Range/Section(s): T27R24WS08; T27R24WS09; T27R24WS10; T27R24WS11; T27R24WS12 +



Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community
 Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community

South Twin/American Game Marsh Federer interest transfer

Topographic Basemap With Sections and Protected Areas

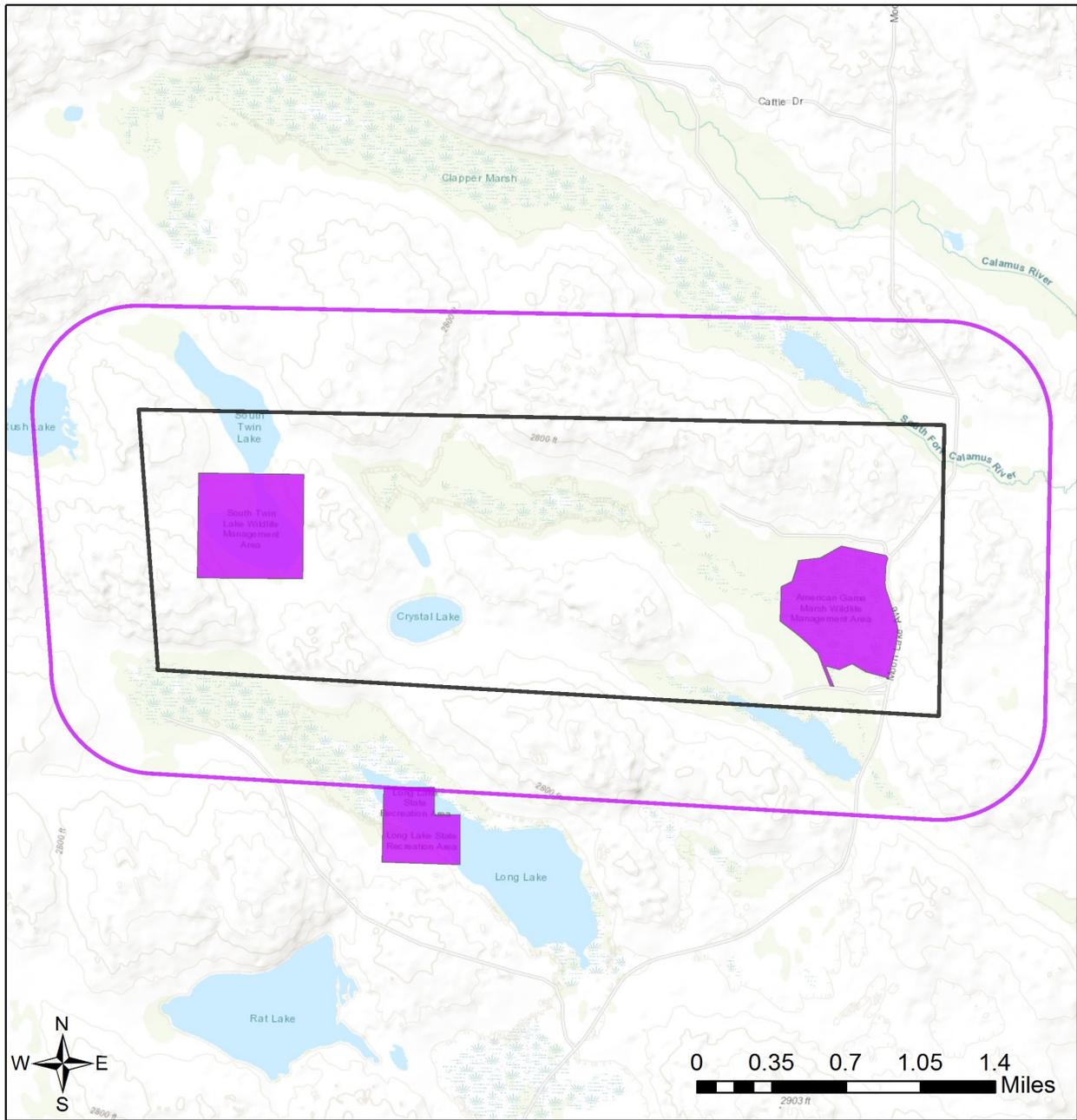


- | | | |
|------------------------------------|--|---------------------------|
| Project Boundary | Protected Areas Database (USGS) | Other Federal |
| Project Review Boundary | U.S. Fish & Wildlife Service | Tribal |
| 3-mile Information Buffer Boundary | U.S. Forest Service | Conservation Organization |
| Sections | Natural Resources Conservation Service | Other State (non-NGPC) |
| NGPC Properties | Army Corps of Engineers | Other (City, Unknown) |
| PAD (USGS) - boundaries | Bureau of Reclamation | |

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community

South Twin/American Game Marsh Federer interest transfer

Web Map As Submitted By User



- Project Boundary
- Project Review Boundary
- NGPC Properties

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community

Table 1
Protected Areas in Immediate Vicinity of Project (project review area)

Area Name	Owner/Manager	Information Source
American Game Marsh WMA	Nebraska Game and Parks Commission	NGPC
Long Lake SRA	Nebraska Game and Parks Commission	NGPC
South Twin Lake WMA	Nebraska Game and Parks Commission	NGPC

Table 2
Documented Occurrences in Immediate Vicinity of Project (project review area) Natural communities and special areas

Name	Other Information
Upper Loup Rivers Biologically Unique Landscape	Link to BUL document
Large Intact Block of Habitat for At-risk Species	

Table 3
Documented Occurrences of Species within 1 Mile of Project Review Area

Scientific Name	Common Name	USFWS	State	SGCN
Chlidonias niger	Black Tern			Tier 1
Emydoidea blandingii	Blanding's Turtle		NC	Tier 1
Fundulus sciadicus	Plains Topminnow			Tier 1
Melospiza georgiana	Swamp Sparrow			Tier 2

<i>Menyanthes trifoliata</i>	Bog Buckbean				
<i>Muhlenbergia glomerata</i>	Spiked Muhly				Tier 2
<i>Nicrophorus americanus</i>	American Burying Beetle	E		E	Tier 1
<i>Nycticorax nycticorax</i>	Black-crowned Night-heron				Tier 2
<i>Potamogeton friesii</i>	Fries' Pondweed				Tier 2
<i>Scolochloa festucacea</i>	River Grass				Tier 2
<i>Sterna forsteri</i>	Forster's Tern				Tier 2
<i>Triadenum fraseri</i>	Marsh-st. John's-wort				Tier 2

Table 4
Potential Occurrences in Immediate Vicinity of Project (project review area):
Special status species (Tier 1 at-risk species and Bald and Golden
Eagle), based on models or range maps

Scientific Name	Common Name	Data Type	USFWS	State	SGCN
<i>Asio flammeus</i>	Short-eared Owl	Range			Tier 1
<i>Athene cunicularia</i>	Burrowing Owl	Range			Tier 1
<i>Atrytone arogos iowa</i>	Iowa Skipper	Range			Tier 1
<i>Boloria selene sabulocollis</i>	Kohler's Fritillary	Range			Tier 1
<i>Catocala nuptialis</i>	Married Underwing	Range			Tier 1
<i>Catocala whitneyi</i>	Whitney Underwing	Range			Tier 1
<i>Chlidonias niger</i>	Black Tern	Range			Tier 1
<i>Chrosomus eos</i>	Northern Redbelly Dace	Model		T	Tier 1
<i>Chrosomus neogaeus</i>	Finescale Dace	Model		T	Tier 1
<i>Cicindela lepida</i>	Ghost Tiger Beetle	Range			Tier 1
<i>Cicindela limbata limbata</i>	Sandy Tiger Beetle	Range			Tier 1

<i>Dalea cylindriceps</i>	Large-spike Prairie-clover	Range			Tier 1
<i>Danaus plexippus</i>	Monarch	Range			Tier 1
<i>Eleocharis wolfii</i>	Wolf's Spikerush	Range			Tier 1
<i>Emydoidea blandingii</i>	Blanding's Turtle	Range		NC	Tier 1
<i>Erynnis martialis</i>	Mottled Duskywing	Range			Tier 1
<i>Euphyes bimacula illinois</i>	Two-spotted Skipper	Range			Tier 1
<i>Fundulus sciadicus</i>	Plains Topminnow	Range			Tier 1
<i>Grus americana</i>	Whooping Crane	Range	E	E	Tier 1
<i>Haliaeetus leucocephalus</i>	Bald Eagle	Range			Tier 2
<i>Hesperia ottoe</i>	Ottoe Skipper	Range			Tier 1
<i>Lanius ludovicianus</i>	Loggerhead Shrike	Range			Tier 1
<i>Lasiurus borealis</i>	Eastern Red Bat	Range			Tier 1
<i>Lasiurus cinereus</i>	Hoary Bat	Range			Tier 1
<i>Lethe eurydice fumosus</i>	Smoky-eyed Brown	Range			Tier 1
<i>Lontra canadensis</i>	River Otter	Model		T	
<i>Myotis septentrionalis</i>	Northern Long-eared Myotis	Range	T	T	Tier 1
<i>Nicrophorus americanus</i>	American Burying Beetle	Range	E	E	Tier 1

Table 4
Potential Occurrences in Immediate Vicinity of Project
(project review area):

**Special status species (Tier 1 at-risk species and Bald and Golden Eagle),
based on models or range maps**

Scientific Name	Common Name	Data Type	USFWS	State	SGCN
<i>Numenius americanus</i>	Long-billed Curlew	Range			Tier 1
<i>Oxyloma haydeni</i>	Niobrara Ambersnail	Range			Tier 1
<i>Penstemon haydenii</i>	Blowout Penstemon	Range	E	E	Tier 1
<i>Perimyotis subflavus</i>	Tricolored Bat	Range			Tier 1

<i>Platanthera praeclara</i>	Western Prairie Fringed Orchid	Range	T	T	Tier 1
<i>Schoenoplectus hallii</i>	Hall's bulrush	Range			Tier 1
<i>Schoenoplectus saximontanus</i>	Rocky Mountain Bulrush	Range			Tier 1
<i>Speyeria idalia</i>	Regal Fritillary	Range			Tier 1
<i>Tryngites subruficollis</i>	Buff-breasted Sandpiper	Range			Tier 1

February 6, 2019

Lucas Negus
Nebraska Game and Parks Commission
2201 N. 13th Street
Norfolk, NE 68701

RE: Federal Aid Interest Transfer from South Twin Lakes Wildlife Management Area (WMA) to American Game Marsh WMA, Brown County

Dear Mr. Negus:

Please make reference to your CERT Environmental Review Report (ERR) dated January 14, 2019 and subsequent email dated February 1, 2019. This letter is in response to your request for further consultation based on the results of the ERR. As we understand it, the project would involve the transfer of federal aid interest from South Twin Lakes WMA to American Game Marsh WMA. We have completed our review of the proposed project under Neb. Rev. Stat. §37-801 to 37-811 of the Nongame and Endangered Species Conservation Act (NESCA) and we offer the following comments. This letter should be used in combination with the CERT ERR to constitute a complete environmental review for this project.

This project does not involve any physical work or ground disturbance at either of the properties. Therefore, we have determined that the proposed project will have "No Effect" on state-listed endangered or threatened species. We conducted our review based on the material you sent, aerial photographs, and the Nebraska Natural Heritage database. If the proposed project changes or new information regarding endangered or threatened species becomes available, then this evaluation is no longer valid and further coordination with the Nebraska Game and Parks Commission Planning and Programming Division will be necessary. This project meets the terms and conditions of the Programmatic Agreement between USFWS and NGPC, and therefore it does not need a separate review from USFWS Ecological Services Office.

Thank you for the opportunity to review this proposal. If you have any questions regarding these comments, please contact me at (402) 471-5423 or carey.grell@nebraska.gov.

Sincerely,



Carey Grell
Environmental Analyst Supervisor
Planning and Programming Division