



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Eastern Idaho Field Office
4425 Burley Dr., Suite A
Chubbuck, Idaho 83202
Telephone (208) 237-6975
<http://IdahoES.fws.gov>



APR 11 2005

Rafael L. Rodriguez, Project Manager
U.S. Nuclear Regulatory Commission
Mail Stop T7E18
Washington, DC 20555-0001

Subject: Species List for the Former Salmon River Uranium Development Mill Site
File # 500.0000 FWS # 1-4-05-SP-0187

Dear Mr. Rodriguez:

The Fish and Wildlife Service (Service) is providing you with a list of endangered, threatened, proposed, and/or candidate species which may be present in the proposed action area located in Lemhi County, Idaho. This list fulfills requirements for a Species List under section 7(c) of the Endangered Species Act of 1973 (Act), as amended. If the project decision is not made within 180 days of this letter, regulations require that you request an updated list. Please refer to the FWS number above in all correspondence and reports.

Section 7 of the Act requires Federal agencies to assure that their actions are not likely to jeopardize the continued existence of endangered or threatened species. Federal funding, permitting, or land use management decisions are considered to be Federal actions subject to section 7. If the proposed action may affect a listed species, consultation with the Service is required. Formal consultation must be initiated for any project that is likely to adversely affect a threatened or endangered species. If a project involves a major construction activity and may affect listed species, Federal agencies are required to prepare a Biological Assessment (Assessment). If a proposed species is likely to be jeopardized by a Federal action, regulations require a conference between the Federal agency and the Service.

The Service understands that the U.S. Nuclear Regulatory Commission is working with several other Federal and State agencies on the future decommissioning of the former Salmon River Uranium Development, Inc. (SRUD) mill site located near North Fork, Idaho. Based on previous site visits and historical information, the SRUD has radiological contamination levels that would not meet the criteria for unrestricted release in 10 CFR Part 20, Subpart E. Radiological contamination is located inside the buildings, the dry tailings pond, and is believed to extend to an area of 2 acres around the mill. Following is a list of threatened and endangered species that may occur in Lemhi County to aid in the development of the environmental review of the SRUD property.

Threatened and Endangered Species

Threatened and endangered species that may occur in the proposed project area (attachment) include: gray wolf (*Canis lupus*), Canada lynx (*Lynx Canadensis*), bald eagle (*Haliaeetus leucocephalus*), and bull trout (*Salvelinus confluentus*). However, for your information, we also have provided you with a list of Species of Special Concern and ask that you consider them, and their habitats, during project planning and review; although they do not have legal status under the Act.

The gray wolf is listed as nonessential experimental within the central Idaho area. However, if gray wolf denning sites or rendezvous areas are found near or within the project area, the Service asks that project activities be planned to minimize disturbance to wolf activities.

Canada lynx may be present within the SRUD project area. Effort should be made to identify if the project area falls within a Lynx Analysis Unit (LAU). The Canada Lynx Conservation Assessment and Strategy provides guidance for habitat manipulation within a LAU. The project area also should be identified as to whether it falls within designated lynx linkage area. Considered essential for providing connectivity and population interchange between primary lynx forested habitat (Canada Lynx Conservation Assessment and Strategy, 2000), linkage areas can become disjointed by high human use patterns, further fragmenting lynx habitat. The Service asks that the project environmental review address the potential impacts on Canada lynx and their habitat.

The Service asks that the environmental review for the SRUD project document the most recent survey information addressing the presence or absence of bald eagle breeding territories in or near the project area. Wintering bald eagles may occur anywhere throughout Lemhi County, including the project area. We ask that project planning account for potential impacts on bald eagle winter foraging behavior, as described in the Bald Eagle Management Plan for Greater Yellowstone (1996).

Bull trout are present throughout the Salmon River system. Should decommissioning work be completed nearby occupied bull trout streams, the SRUD project environmental review document should evaluate potential impacts to bull trout and bull trout habitat, including the potential for radioactive contamination to the system.

Species of Special Concern

On July 25, 2001, the Service announced a 12-month finding for a petition to list the yellow-billed cuckoo (*Coccyzus americanus*) in the western continental United States under the Act. The Service found that the petitioned action is warranted, (i.e., the status of the species is such that listing as endangered or threatened is warranted), but precluded by higher priority listing actions. By publication of this finding, the species is now considered as a "candidate species" by the Service.

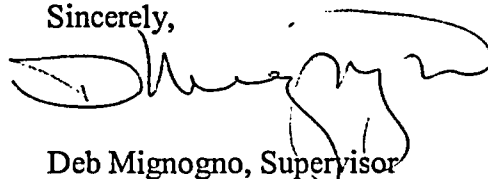
Yellow-billed cuckoos in the West are overwhelmingly associated with relatively expansive stands of mature cottonwood-willow forests. They appear to be dependent on the combination of

a dense willow understory for nesting, a cottonwood overstory for foraging, and large patches of habitat in excess of 20 ha. The species will occupy a variety of marginal habitats, particularly at the edges of their range, but is not known to use non-native vegetation in the majority of its range. The species should be considered when actions involve habitat that is now, or was historically, suitable for yellow-billed cuckoos.

We are notifying you of this finding for a number of reasons including: 1) Identification of candidate species helps resource managers alleviate threats and thereby possibly remove the need to list species as endangered or threatened; 2) Conservation actions for candidate species are often the most effective and least expensive means for restoring species; and 3) The species may be listed in the near future and effects of project-related/management-related actions may need re-evaluation subject to section 7 of the Act. For these reasons we ask that you consider the yellow-billed cuckoo and its habitat in planning and review of your project.

We appreciate your conscientious efforts to comply with Federal requirements. If you need any further information, please contact Sandi Arena of this office at (208) 237-6975 x 34.

Sincerely,

A handwritten signature in black ink, appearing to read 'Deb Mignogno', written over a horizontal line.

Deb Mignogno, Supervisor
Eastern Idaho Field Office

Attachment



U.S. NUCLEAR REGULATORY COMMISSION
LEMHI COUNTY, IDAHO
SPECIES LIST #1-4-05-SP-0187

LISTED SPECIES	COMMENTS
Gray wolf (<i>Canis lupus</i>)	XN - Experimental/Non-essential population
Canada lynx (<i>Lynx canadensis</i>)	LT
Bald eagle (<i>Haliaeetus leucocephalus</i>)	LT
Fall chinook salmon (<i>Oncorhynchus tshawytscha</i>)	LT - NOAA Fisheries jurisdiction
Spring/summer chinook salmon (<i>Oncorhynchus tshawytscha</i>)	LT - NOAA Fisheries jurisdiction
Steelhead (<i>Oncorhynchus mykiss</i>)	LT* - NOAA Fisheries jurisdiction
Sockeye salmon (<i>Oncorhynchus nerka</i>)	LE - NOAA Fisheries jurisdiction
Bull trout (<i>Salvelinus confluentus</i>)	LT
PROPOSED SPECIES/CRITICAL HABITAT	
Anadromous steelhead and resident rainbow trout (<i>Oncorhynchus mykiss</i>)	PT – NOAA Fisheries Jurisdiction. *Proposed relisting of steelhead – adds six hatchery populations & resident rainbow trout PCH – NOAA Fisheries jurisdiction. Includes Clearwater River tributaries accessible to anadromous fish
CANDIDATE SPECIES ¹	
Yellow-billed cuckoo (<i>Coccyzus americanus</i>)	C

¹Candidate species have no protection under the Act, but are included for your early planning consideration. Candidate species could be proposed or listed during the project planning period, and would then be covered under Section 7 of the Act. The Service advises an evaluation of potential effects on candidate species that may occur in the project area.