APPENDIX D

BIOLOGICAL RESOURCES

The following tables provide a list of federally-listed species occurring in Le Flore and Latimer Counties. The tables include information on status, county, and habitat. This appendix also includes correspondence between USACE and the U.S. Fish and Wildlife Service and Natural Resources Conservation Service.

Table 3.0 Federally Listed Species Potentially Occurring in LeFlore and Latimer Counties, Oklahoma

Common/Scientific Name	Status	County	Habitat
MAMMALS			
Indiana Bat *Myotis sodalis*	E	LeFlore	During hibernation, Indiana bats need limestone caves with stable temperatures of 39° to 46°F (4-8°C) and 66 to 95 percent humidity. Only a small percentage of caves meets the specific conditions required by Indiana bats. During the summer months, they can be found under bridges, in old buildings, under tree bark, or in hollow trees. Indiana bats forage above small- to medium-sized streams. Streams lined with large, overhanging trees are preferred.
BIRDS			
Arctic Peregrine Falcon *Falco peregrinus tundrius*	M	LeFlore	The Arctic peregrine falcon breeds on the Arctic tundra. In winter, it inhabits coastlines and mountains from Florida to South America. In Oklahoma, it is found statewide during spring and fall migration only.
American Peregrine Falcon *Falco peregrinus anatum*	M	LeFlore	Peregrine falcons nest on high cliffs, often near water where prey species are most common. Nesting has never been recorded in Oklahoma. However, peregrine falcons migrate through and occasionally winter in Oklahoma.
Bald Eagle *Haliaeetus leucocephalus*	T	LeFlore	Bald eagles require large trees or cliffs near water with abundant fish for nesting. They winter along rivers, lakes, or in areas where carrion is present
Piping Plover *Charadrius melodus*	E/T*	LeFlore, Latimer	Piping plovers nest on sandy beaches along the ocean or lakes. Along rivers, piping plovers use the bare areas of islands or sandbars. They also nest on the pebbly mud of interior alkali lakes and ponds.
Interior Least Tern *Sterna antillarum*	E	LeFlore	Interior least terns favor islands or sandbars along large rivers for nesting. The sand must be mostly clear of vegetation to be used by terns. Least terns prefer shallow water for fishing. Water levels must be low enough so that nests stay dry.

Federally Listed Species Potentially Occurring in LeFlore and Latimer Counties, Oklahoma

FISH			
Leopard Darter *Percina pantherina*	T	LeFlore	Leopard darters are found in intermediate to larger streams. Typically, they are not found in smaller, headwater streams. From May to February, leopard darters prefer large, quiet pools with a rubble and boulder substrate. Spawning occurs on gravel substrates; however, the dominant riffle substrate may be gravel, rubble, boulder, and bedrock.
INVERTEBRATES			
American Burying Beetle *Nicrophorus americanus*	E	LeFlore, Latimer	In Oklahoma, American burying beetles are found in the Ouachita Mountains, occuring in oak-pine woodlands, open fields, and in the transition zone between the two. The other known Oklahoma population occurs on the western edge of the Ozark uplift. These beetles are found in oak-hickory forests and open grasslands. Habitat requirements for the American burying beetle are not fully understood at this time.
Ouachita Rock-pocketbook *Arkansia wheeleri*	E	LeFlore	The Ouachita rock-pocketbook is found primarily in pools of small, slow-moving rivers. To a lesser extent, these mussels are present in stream-side channels and backwaters as well. They appear to prefer areas with cobble-gravel bottoms, although they are also found in sandy areas.
Scaleshell Mussel *Leptodea leptodon*	PE	LeFlore	The scaleshell lives in medium-sized and large rivers with stable channels and good water quality. Scaleshells bury themselves in the sand and gravel river bottoms with just the edge of their partially-opened shells exposed. As river currents flow over the animals, they siphon the water for food, which includes detritus, plankton, and other microorganisms.

E *Listed Endangered*
T *Listed Threatened*
PE *Proposed Endangered*
M *Monitor Species*

July 5, 2001

U.S. Fish and Wildlife Service
ATTN: Jerry Brabander
222 South Houston, Suite A
Tulsa, OK 74127

Dear Mr. Brabander,

The U.S. Army Corps of Engineers, Tulsa District (USACOE Tulsa) is preparing a Supplement to the Final Environmental Statement (SFES) for the Operation and Maintenance Program, Wister Lake, Poteau River, Oklahoma. Wister Lake was authorized by the Flood Control Act of 1938 and is operated for flood control, water supply, low flow augmentation, water conservation, and sedimentation. The lake is located in the northern foothills of the Kiamichi Mountains adjacent to the Ouachita National Forest in LeFlore and Latimer counties, Oklahoma.

The SFES is being prepared in order to identify and evaluate the environmental, cultural, social, and economic impacts of maintaining the pool level at 478.0 feet (No Action Alternative) or lowering the pool to the original level of 471.6 feet (Action Alternative).

A current list of Federally threatened or endangered species that potentially occur in these counties is included as an attachment. Please review this list for accuracy and completeness. Any information you may have regarding potential or known presence, critical habitat, general habitat, descriptions, distribution, and status of these species would be greatly appreciated.

We look forward to working with you on this project. If you have any questions regarding this proposal, please contact Mr. David L. Combs, Chief, Environmental Analysis and Compliance Branch, U.S. Army Corps of Engineers, Tulsa District, 1645 S. 101 E. Avenue, Tulsa, Ok, 74128-4629. Phone: 918-669-7660. Email: David.L.Combs@ usace.army.mil

Sincerely,

G. David Steele, P.E.
Chief, Planning Environmental and Regulatory Division

Enclosures

Federally Listed Species Potentially Occurring in LeFlore and Latimer Counties, Oklahoma

Common/Scientific Name	Status	County	Habitat
MAMMALS			
Indiana Bat *Myotis sodalis*	E	Leflore	For hibernation, Indiana bats need limestone caves with stable temperatures of 39° to 46°F (4-8°C) and 66 to 95 percent humidity. Only a small percentage of caves meets the specific conditions required by Indiana bats. During the summer, they can be found under bridges, in old buildings, under tree bark, or in hollow trees. Indiana bats forage above small- to medium-sized streams. Streams lined with large, overhanging trees are preferred.
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Arctic Peregrine Falcon *Falco peregrinus tundrius*	M	Leflore	The Arctic peregrine falcon breeds on the Arctic tundra. In winter, it inhabits coastlines and mountains from Florida to South America. In Oklahoma, it is found statewide during spring and fall migration only.
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Legend:
E – Endangered T – Threatened
PE – Proposed Endangered * - Endangered in the watershed of the Great Lakes, threatened in the remainder of its range
M – Monitored (Recently Recovered)

Federally Listed Species Potentially Occurring in LeFlore and Latimer Counties, Oklahoma *cont.d'*

FISH			
Leopard Darter *Percina pantherina*	T	Leflore	Leopard darters are found in intermediate to larger streams. Typically, they are not found in smaller, headwater streams. From May to February, leopard darters prefer large, quiet pools with a rubble and boulder substrate. Spawning occurs on gravel substrates; however, the dominant riffle substrate may be gravel, rubble, boulder, and bedrock.
INVERTEBRATES			
American Burying Beetle *Nicrophorus americanus*	E	Leflore, Latimer	In Oklahoma, American burying beetles are found in the Ouachita Mountains occur in oak-pine woodlands, open fields, and in the transition zone between the two. The other known Oklahoma population occurs on the western edge of the Ozark uplift. These beetles are found in oak-hickory forests and open grasslands. Habitat requirements for the American burying beetle are not fully understood at this time.
Ouachita Rock-pocketbook *Arkansia wheeleri*	E	Leflore	The Ouachita rock-pocketbook is found primarily in pools of small, slow-moving rivers. To a lesser extent, these mussels are present in stream-side channels and backwaters as well. They appear to prefer areas with cobble-gravel bottoms, although they are also found in sandy areas
Scaleshell Mussel *Leptodea leptodon*	PE	Leflore	The scaleshell lives in medium-sized and large rivers with stable channels and good water quality. Scaleshells bury themselves in the sand and gravel river bottoms with just the edge of their partially-opened shells exposed. As river currents flow over the animals, they siphon the water for food which includes detritus, plankton, and other microorganisms.

Legend:
E – Endangered T – Threatened
PE – Proposed Endangered * - Endangered in the watershed of the Great Lakes, threatened in the remainder of its range
M – Monitored (Recently Recovered)

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
222 S. Houston, Suite A
Tulsa, Oklahoma 74127

July 25, 2001

U.S. Army Corps of Engineers
Attn: David Combs,
Chief Environmental Analysis and Compliance Section
1645 South 101st East Avenue
Tulsa, Oklahoma 74128-4609

#2-14-01-I-0946

Dear Mr. Combs:

This responds to your letter dated July 10, 2001, wherein you requested the Fish and Wildlife Service to review a list of federally-listed species that may occur in LeFlore and Latimer Counties for accuracy and completeness and to provide any additional information regarding potential or known presence, critical habitat, general habitat, descriptions, distribution, and status of these species. The U. S. Army Corps of Engineers, Tulsa District (Corps) is requesting this review to assist in the preparation of a Supplemental to the Final Environmental Statement (SFES) for the Operation and Maintenance Program, Wister Lake, Poteau River, LeFlore and Latimer counties Oklahoma. The SFES is being prepared to identify and evaluate the environmental, cultural, social, and economic impacts of maintaining the pool level at 478.0 feet (No Action Alternative) or lowering the pool to the original level of 471.6 feet (Action Alternative).

The Service has reviewed the species list attached to your letter and found it to be accurate. For additional information regarding critical habitat, general habitat, descriptions, distribution, and status of these species, please visit our website at http://ifw2es.fws.gov/Oklahoma and select the link for T & E Species of Oklahoma.

Two federally-listed species with the potential to occur at Wister Lake are the endangered American burying beetle and the threatened bald eagle. It is incumbent upon the Corps to determine if the project will adversely affect these species. If the project is determined to adversely affect these species, then formal consultation under Section 7 of the Endangered Species Act will be required.

If you have any questions or require additional information, please contact Richard Stark of this office at 918-581-7458, extension 240.

Sincerely,

Jerry J. Brabander
Field Supervisor

RCS:ag:FA/SpListWister2.COE

July 11, 2001

Planning Environmental and Regulatory Division
Environmental Analysis and Compliance Branch

Mr. Bobbye Jones
State Conservationist, NRCS
Agriculture Center Office Building
Farm Road and Brumley Street
Stillwater, OK 73074

Dear Mr. Jones:

The U.S. Army Corps of Engineers, Tulsa District (USACOE Tulsa) is preparing a Supplement to the Final Environmental Statement (SFES) for the Operation and Maintenance Program, Wister Lake, Poteau River, Oklahoma. Wister Lake was authorized by the Flood Control Act of 1938 and is operated for flood control, water supply, low flow augmentation, water conservation, and sedimentation. The lake is located in the northern foothills of the Kiamichi Mountains adjacent to the Ouachita National Forest in LeFlore and Latimer counties, Oklahoma.

The SFES is being prepared in order to identify and evaluate the environmental, cultural, social, and economic impacts of maintaining the pool level at 478.0 feet (No Action Alternative) or lowering the pool to the original level of 471.6 feet (Action Alternative).

If you have any questions regarding this proposal, please contact Mr. David L. Combs, Chief, Environmental Analysis and Compliance Branch, U.S. Army Corps of Engineers, Tulsa District, 1645 S. 101 E. Avenue, Tulsa, OK, 74128-4629. Phone: 918-669-7660. Email: David.L.Combs@ usace.army.mil

Sincerely,

G. David Steele, P.E.
Chief, Planning Environmental and Regulatory Division

USDA
United States Department of Agriculture
Natural Resources Conservation Service
State Office
100 USDA Suite 206
Stillwater, OK 74074-2655
(405) 742-1223

July 26, 2001

Mr. David L. Combs
Chief, Environmental Analysis and Compliance Branch
U.S. Army Corps of Engineers, Tulsa District
1645 S. 101 E. Avenue
Tulsa, Oklahoma 74128-4629

Dear Mr. Combs:

Regarding your letter of July 11, 2001, for the Supplement to the Final Environmental Statement for the Operation and Maintenance Program of Wister Lake, Poteau River, Oklahoma, I would like more detailed information on the Corps' proposed action so that I can make informed, substantive comments. Specifically, I am curious as to the feasibility of lowering a water supply reservoir 6.4 feet, particularly when NRCS was recently contacted regarding building a new water supply lake near Wister Lake. If there is a shortage of municipal water, why decrease current storage at Wister Lake?

Also, the proposed action would seem to significantly impact wetlands and fish and wildlife habitat, and could have an impact on shoreline cultural resources. I would appreciate receiving a copy of the draft Supplement and Environmental Assessment on this project as soon as it is available. Should you have any questions or wish to discuss this matter further, please contact Bob Tillman at (405) 742-1223.

Sincerely,

Bill Porter Acting for

M. DARREL DOMINICK
State Conservationist

cc:
Roylene Rides At The Door-Waln, ASTC (FO), NRCS, Stillwater, OK
Kenneth Risenhoover, District Conservationist, NRCS, Poteau, OK
Bill Porter, ASTC (ER/IT), NRCS, Stillwater, OK