## ENVIRONMENTAL PROTECTION AGENCY

**[FRL–5965–9]**

## Reissuance of NPDES General Permits for Storm Water Discharges From Construction Activities

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of final NPDES general permits.

**SUMMARY:** The Regional Administrators of Regions 1, 2, 3, 7, 8, 9 and 10 are today issuing final National Pollutant Discharge Elimination System (NPDES) general permits for storm water discharges associated with construction activity. EPA first issued permits for these activities in September 1992. These permits subsequently expired in September 1997. Today's permits, which replace the expired permits, authorize the discharge of pollutants in storm water runoff from construction activities in accordance with the terms and conditions of these permits. Hereinafter, the terms ''permit'' or ''construction general permit'' or ''CGP'' will replace ''permits'' for reasons of readability (the pluralized form is technically more proper, denoting the issuance of separate general permits in each of the Regions listed above).

**DATES:** This general permit shall be effective on February 17, 1998. This effective date is necessary to provide dischargers with the immediate opportunity to comply with CWA requirements in light of the recent expiration of the previous general permit for storm water discharges associated with construction activity. Deadlines for submittal of Notices of Intent (NOIs) are provided in section V, Part II.A, of the Fact Sheet and Part II.A of the general permit. Today's general permit also provides additional dates for compliance with the terms of the permit.

**ADDRESSES:** The index to the administrative record for this permit is available at the appropriate Regional Office or from the EPA Water Docket in Washington, DC. The complete administrative record is located at the Water Docket, MC–4101, U.S. EPA, 401 M Street SW, Washington, DC 20460. Copies of information in the record are available upon request. A reasonable fee may be charged for copying. Specific record information can also be made available at the appropriate Regional Office upon request.

**NOTICE OF INTENT FORMS:** A Notice of Intent (NOI) form must be submitted to obtain coverage for storm water discharges under this permit. Until the U.S. Office of Management and Budget (OMB) approves and the EPA publishes a revised NOI form designed specifically for this permit, operators of storm water discharges associated with construction activity must use the existing NOI form to obtain permit coverage. Upon publication of the revised NOI form in the **Federal Register**, operators must use the revised form to obtain coverage under the Construction General Permit.

**FOR FURTHER INFORMATION CONTACT:** For further information on the NPDES Construction General Permit, call the EPA Regions 6 and 2 Storm Water Hotline at 1–800–245–6510, or your EPA Regional storm water coordinator. Information is also available through the Internet on the EPA's Office of Wastewater Management web site at ''http://www.epa.gov/owm/cgp.htm'' and at the various EPA Regional Office Internet web sites.

**SUPPLEMENTARY INFORMATION:**

### Contents

I. Introduction
II. Answers to Common Questions
III. Coverage Provided by General Permits
IV. Summary of Options for Controlling Pollutants
V. Summary of Permit Conditions
VI. Endangered Species Protection
VII. Historic Properties Protection
VIII. Summary of Responses to Comments on the Proposed Permit
IX. Cost Estimates
X. Regulatory Review (Executive Order 12866)
XI. Unfunded Mandates Reform Act
XII. Paperwork Reduction Act
XIII. Regulatory Flexibility Act
XIV. Official Signatures

### I. Introduction

The United States Environmental Protection Agency (EPA) is reissuing the general permit which authorizes the discharge of pollutants in storm water associated with construction activity. As used in this permit, ''storm water associated with construction activity'' refers to category (x) of the definition of ''discharge of storm water associated with industrial activity.'' Category (x) includes construction activity disturbing at least five acres, or construction activity disturbing less than five acres which is part of a larger common plan of development or sale with the potential to disturb cumulatively five or more acres (*See* 40 CFR 122.26(b)(14)).

This construction general permit is written as if it was a single permit rather than the 45 legally separate and individually numbered general permits it is comprised of. Unless otherwise noted, references to ''the permit'' apply to the common language of each of the 45 separate general permits. Any area-specific conditions that apply are found in Part X of the permit.

This permit replaces the previous Baseline Construction General Permit which was issued for a five-year term in September 1992. The most significant changes from the 1992 permit include:

- New conditions to protect listed endangered and threatened species and critical habitats;
- Expanded coverage to construction sites under five acres of disturbed land which are not part of a larger common plan of development or sale when an operator has been designated by the Director to obtain coverage pursuant to 40 CFR 122.26(a)(1)(v) or 122.26(a)(9) and 122.26(g)(1)(i);
- A requirement to post the confirmation of permit coverage (the permit number or copy of the Notice of Intent (NOI) if a permit number has not yet been assigned) including a brief description of the project;
- Terms applicable when transitioning from the previous permit;
- The requirement to submit a notice of permit termination when construction is completed;
- Automatic coverage under an expired, but administratively-continued permit;
- Capability to use this permit to acquire coverage for other construction-related industrial activities (*e.g.*, a concrete batch plant); and
- Storm water pollution prevention plan performance objectives.

This general permit for storm water discharges associated with construction activity was proposed on June 2, 1997 (62 FR 29786), and is hereby issued with individual permit numbers for the following areas:

*Region 1:* The Commonwealth of Massachusetts and the States of Maine and New Hampshire; Indian Country lands in the Commonwealth of Massachusetts and the States of Maine, Rhode Island and Connecticut; Federal facilities in Vermont.

*Region 2:* The Commonwealth of Puerto Rico and Indian Country lands in the State of New York.

*Region 3:* District of Columbia; Federal facilities in the State of Delaware.

*Region 7:* Indian Country lands in Iowa, Kansas and Nebraska (except Pine Ridge Reservation Lands [see Region 8]).

*Region 8:* Federal facilities in Colorado; Indian Country lands in Colorado (including the portion of the Ute Mountain Reservation located in New Mexico), Montana, North Dakota (including that portion of the Standing Rock Reservation located in South

Dakota and excluding the Lake Traverse Reservation which is covered under the permit for areas of South Dakota), South Dakota (including the portion of the Pine Ridge Reservation located in Nebraska and the portion of the Lake Traverse Reservation located in North Dakota and excluding the Standing Rock Reservation which is covered under the permit for areas of North Dakota), Utah (except Goshute and Navajo Reservation lands [see Region 9]) and Wyoming.

*Region 9:* The Islands of American Samoa and Guam, Johnston Atoll, Midway/Wake Islands and Commonwealth of the Northern Mariana Islands; the State of Arizona; Indian Country Lands in Arizona (including Navajo Reservation lands in New Mexico and Utah), California and Nevada (including the Duck Valley Reservation in Idaho, the Fort McDermitt Reservation in Oregon and the Goshute Reservation in Utah).

*Region 10:* The States of Alaska and Idaho; Indian Country lands in Alaska and Idaho (except Duck Valley Reservation [see Region 9]), Washington and Oregon (except for Fort McDermitt Reservation [see Region 9]); Federal facilities in Washington.

## II. Answers to Common Questions

In this section, EPA provides answers to some of the more common questions on the construction storm water permitting program. It is intended to help you get started in understanding the permit. Be aware these answers are fairly broad and may not take into account all scenarios possible at construction sites. More details on these issues are provided later in this Fact Sheet, especially in section VIII, Summary of Responses to Comments on the Proposed Permit.

### *How Do I Know If I Need a Permit?*

You need a storm water permit if you can be considered an ''operator'' of the construction activity that would result in the ''discharge of storm water associated with construction activity.'' You must become a permittee if you meet either of the following two criteria:

- You have operational control of construction project plans and specifications, including the ability to make modifications to those plans and specifications; or
- You have day-to-day operational control of those activities at a project which are necessary to ensure compliance with a storm water pollution prevention plan (SWPPP) for the site or other permit conditions (*e.g.*, you are authorized to direct workers at a site to carry out activities required by the SWPPP or comply with other permit conditions).

There may be more than one party at a site performing the tasks relating to ''operational control'' as defined above. Depending on the site and the relationship between the parties (*e.g.*, owner, developer), there can either be a single party acting as site operator and consequently be responsible for obtaining permit coverage, or there can be two or more operators with all needing permit coverage. The following are three general operator scenarios (variations on any of the three are possible as the number of ''owners'' and contractors increases):

- Owner as sole permittee. The property owner designs the structures for the site, develops and implements the SWPPP, and serves as general contractor (or has an on-site representative with full authority to direct day-to-day operations). He may be the only party that needs a permit, in which case everyone else on the site may be considered subcontractors and not need permit coverage.
- Contractor as sole permittee. The property owner hires a construction company to design the project, prepare the SWPPP, and supervise implementation of the plan and compliance with the permit (*e.g.*, a ''turnkey'' project). Here, the contractor would be the only party needing a permit. It is under this scenario that an individual having a personal residence built for his own use (*e.g.*, not those to be sold for profit or used as rental property) would not be considered an operator. EPA believes that the general contractor, being a professional in the building industry, should be the entity rather than the individual who is better equipped to meet the requirements of both applying for permit coverage and developing and properly implementing a SWPPP. However, individuals would meet the definition of ''operator'' and require permit coverage in instances where they perform general contracting duties for construction of their personal residences.
- Owner and contractor as co-permittees. The owner retains control over any changes to site plans, SWPPPs, or storm water conveyance or control designs; but the contractor is responsible for overseeing actual earth disturbing activities and daily implementation of SWPPP and other permit conditions. In this case, both parties may need coverage.

However, you are probably not an operator and subsequently do not need permit coverage if:

- You are a subcontractor hired by, and under the supervision of, the owner or a general contractor (*i.e.*, if the contractor directs your activities on-site, you probably are not an operator); or
- Your activities on site result in earth disturbance and you are not legally a subcontractor, but a SWPPP specifically identifies someone other than you (or your subcontractor) as the party having operational control to address the impacts your activities may have on storm water quality (i.e., another operator has assumed responsibility for the impacts of your construction activities). This particular provision will apply to most utility service line installations. For further information concerning whether utility service line installations meet the definition of operator and require permit coverage, see the discussion under ''Installation of Utility Service Lines'' in section VIII, Summary Response to Public Comments of the Fact Sheet.

In addition, for purposes of this permit and determining who is an operator, ''owner'' refers to the party that owns the structure being built. Ownership of the land where construction is occurring does not necessarily imply the property owner is an operator (*e.g.*, a landowner whose property is being disturbed by construction of a gas pipeline). Likewise, if the erection of a structure has been contracted for, but possession of the title or lease to the land or structure is not to occur until after construction, the would-be owner may not be considered an operator (*e.g.*, having a house built by a residential homebuilder).

### *My Project Will Disturb Less Than Five Acres, but It May Be Part of a ''Larger Common Plan of Development or Sale.'' How Can I tell and What Must I Do?*

If your smaller project is part of a larger common plan of development or sale that collectively will disturb five or more acres (*e.g.*, you are building on six half-acre residential lots in a 10-acre development or are putting in a parking lot in a large retail center) you need permit coverage. The ''plan'' in a common plan of development or sale is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating construction activities may occur on a specific plot. You must still meet the definition of operator in order to be required to get permit coverage, regardless of the acreage you personally

disturb. As a subcontractor, it is unlikely you would need a permit.

For some situations where less than five acres of the original common plan of development remain undeveloped, a permit may not be needed for the construction projects ''filling in'' the last parts of the common plan of development. A case in which a permit would not be needed is where several empty lots totaling less than five acres remain after the rest of the project had been completed, providing stabilization had also been completed for the entire project. However, if the total area of all the undeveloped lots in the original common plan of development was more than five acres, a permit would be needed.

*When Can You Consider Future Construction on a Property To Be Part of a Separate Plan of Development or Sale?*

In many cases, a common plan of development or sale consists of many small construction projects that collectively add up to five (5) or more acres of total disturbed land. For example, an original common plan of development for a residential subdivision might lay out the streets, house lots, and areas for parks, schools and commercial development that the developer plans to build or sell to others for development. All these areas would remain part of the common plan of development or sale until the intended construction occurs. After this initial plan is completed for a particular parcel, any subsequent development or redevelopment of that parcel would be regarded as a new plan of development, and would then be subject to the five-acre cutoff for storm water permitting purposes.

*What Must I Do To Satisfy the Permit Eligibility Requirements Related to Endangered Species?*

In order to be eligible for this permit, you must follow the procedures and examples found in Addendum A for the protection of endangered species. You cannot submit your NOI until you are able to certify your eligibility for the permit. Enough lead time should be built into your project schedule to accomplish these procedures. If another operator has certified eligibility for the project (or at least the portion of the project you will be working on) in his NOI, you will usually be able to rely on his certification of project eligibility and not have to repeat the process. EPA created this ''coat tail'' eligibility option for protection of endangered species to allow the site developer/owner to obtain up-front ''clearance'' for a project, thereby avoiding duplication of effort by his contractors and unnecessary delays in construction.

*What Does the Permit Require Regarding Historic Preservation?*

Today's permit does not currently impose requirements related to historic preservation, though EPA may modify the permit at a later date after further discussions with the Advisory Council on Historic Preservation. Therefore, under today's permit, EPA will conduct consultations as it did under the pre-existing Baseline Construction General Permit on a case-by-case basis as needed. Removal of the proposed permit provisions related to historic preservation in no way relieves applicants and permittees of their obligations to comply with applicable State, Tribal or local laws for the preservation of historic properties. EPA reminds permittees that according to section 110(k) of the National Historic Preservation Act (NHPA), an intentional action to significantly adversely affect historic resources with intent to avoid Federal historic preservation requirements may jeopardize future permit coverage for such a permittee.

*How Many Notices of Intent (NOIs) Must I Submit? Where and When Are They Sent?*

You only need to submit one NOI to cover all activities on any one common plan of development or sale. The site map you develop for the storm water pollution prevention plan identifies which parts of the overall project are under your control. For example, if you are a homebuilder in a residential development, you need submit only one NOI to cover all your lots, even if they are on opposite sides of the development.

The NOI must be postmarked two days before you begin work on site. The address for submitting NOIs is found in the instruction portion of the NOI form and in Part II.C. of the CGP. You must also look in Part X of the permit to determine if copies of the NOI form are to be sent to a State or Indian Tribe.

*How Do I Know Which Permit Conditions Apply to Me?*

You are responsible for complying with all parts of the permit that are applicable to the construction activities you perform. Part III.E. of the permit defines the roles of various operators at a site. In addition, several States and Indian Tribes require alternative or additional permit conditions, and these can be found in Part X of the permit.

*Do I Have Flexibility in Preparing the Storm Water Pollution Prevention Plan (SWPPP) and Selecting Best Management Practices (BMPs) for My Site?*

Storm water pollution prevention plan requirements were designed to allow maximum flexibility to develop the needed storm water controls based on the specifics of the site. Some of the factors you might consider include: more stringent local development requirements and/or building codes; precipitation patterns for the area at the time the project will be underway; soil types; slopes; layout of structures for the site; sensitivity of nearby water bodies; safety concerns of the storm water controls (*e.g.*, potential hazards of water in storm water retention ponds to the safety of children; the potential of drawing birds to retention ponds and the hazards they pose to aircraft); and coordination with other site operators.

*Must Every Permittee Have His Own Separate SWPPP or Is a Joint Plan Allowed?*

The only requirement is that there be at least one SWPPP for a site which incorporates the required elements for all operators, but there can be separate plans if individual permittees so desire. EPA encourages permittees to explore possible cost savings by having a joint SWPPP for several operators. For example, the prime developer could assume the inspection responsibilities for the entire site, while each homebuilder shares in the installation and maintenance of sediment traps serving common areas.

*If a Project Will Not Be Completed Before This Permit Expires, How Can I Keep Permit Coverage?*

If the permit is reissued or replaced with a new one before the current one expires, you will need to comply with whatever conditions the new permit requires in order to transition coverage from the old permit. This usually includes submitting a new NOI. If the permit expires before a replacement permit can be issued, the permit will be administratively ''continued.'' You are automatically covered under the continued permit, without needing to submit anything to EPA, until the earliest of:

- The permit being reissued or replaced;
- Submittal of a Notice of Termination (NOT);
- Issuance of an individual permit for your activity; or
- The Director issues a formal decision not to reissue the permit, at

which time you must seek coverage under an alternative permit.

*When Can I Terminate Permit Coverage? Can I Terminate Coverage (i.e., Liability for Permit Compliance) Before the Entire Project is Finished?*

You can submit an NOT for your portion of a site providing: (1) You have achieved final stabilization of the portion of the site for which you are a permittee (including, if applicable, returning agricultural land to its pre-construction agricultural use); (2) another operator/permittee has assumed control according to Part VI.G.2.c. of the permit over all areas of the site that have not been finally stabilized which you were responsible for (for example, a developer can pass permit responsibility for lots in a subdivision to the homebuilder who purchases those lots, providing the homebuilder has filed his own NOI); or (3) for residential construction only, you have completed temporary stabilization and the residence has been transferred to the homeowner.

## III. Coverage Provided by General Permits

Section 402(p) of the Clean Water Act (CWA) states that storm water discharges associated with industrial activity to waters of the United States must be authorized by an NPDES permit. The term ''discharge'' when used in the context of the NPDES program means the discharge of pollutants (40 CFR 122.2).

On November 16, 1990, EPA published regulations under the NPDES program which defined one facet of the phrase ''storm water discharges associated with industrial activity'' as being discharges from construction activities (including clearing, grading and excavation activities) that result in the disturbance of five or more acres of total land area, including smaller areas that are part of a larger common plan of development or sale (40 CFR 122.26(b)(14)(x)). These types of construction activity are commonly referred to as Phase I construction activities. ''Storm water discharges associated with construction activities'' will hereinafter refer to discharges from Phase I construction activities or support activities, including those that meet the larger definition of a storm water discharge associated with industrial activity or those that are designated under the provisions of 40 CFR 122.26.

Previously, there may have been some confusion as to permitting requirements for sites disturbing less than five acres but that are part of a larger common plan of development or sale. For clarification, all construction activity regulated under 40 CFR 122.26(b)(14)(x) is eligible for coverage under this permit including small construction sites disturbing less than five acres that are also a part of a larger common plan of development or sale which has the potential of disturbing five or more acres collectively. Examples of these would be lots in a subdivision or industrial park. These are also Phase I construction activities.

Single construction sites under five acres that are not part of a larger plan of development or sale with disturbances totaling at least five acres are not eligible for coverage under this permit unless they are specifically designated for coverage pursuant to 40 CFR 122.26 (a)(1)(v) or 122.26(a)(9) and 122.26(g)(1)(i). Under EPA's existing regulations, however, these smaller projects may be required to submit permit applications not later than August 7, 2001, unless an applicant is specifically required by the Director to submit an application before that time. Small (Phase II) construction sites will be addressed by EPA in the future pursuant to a Ninth Circuit Court mandate. EPA is employing the assistance of a Federal Advisory Committee to make recommendations on how best to treat small sites vis-a-vis the NPDES program, and will issue a proposed rule addressing Phase II construction activities in December 1997. Finalization of the rule is scheduled for March 1, 1999. If permitting is the approach adopted for these small sites, the permits will be issued at a future date.

EPA issued the first round of the Phase I construction general permit on two dates: September 9, 1992, for certain States and territories, and September 25, 1992, for other States and territories where EPA is the permitting authority. The Phase I permit was commonly referred to as the Baseline Construction General Permit. The new permit is the second-round permit (simply called the ''construction general permit,'' ''CGP,'' or ''permit'') for use in the States, territories and Indian Country lands where EPA is the NPDES permitting authority. The Agency is expanding permit coverage to certain Indian Country lands which were not covered under the 1992 permit. These new areas are listed in the areas of coverage section of the permit and this fact sheet.

Operators of construction projects in EPA Region 4 should note that unlike the Baseline Construction General Permit, this second-round permit no longer authorizes discharges from construction projects on Indian Country lands located in Florida, Mississippi or North Carolina. The Region 4 permit was public noticed in the **Federal Register** on April 16, 1997, (62 FR 18605–18628) for construction storm water discharges in Florida, and Indian Country lands in Florida, Mississippi and North Carolina. Similarly, operators of construction projects in EPA Region 6 are not covered under this permit. A separate Region 6 permit covering construction project discharges located in the following areas is currently under development: The States of New Mexico and Texas; Indian Country lands in Louisiana, Oklahoma, Texas and New Mexico (except Navajo Reservation Lands [see Region 9] and Ute Mountain Reservation Lands [see Region 8] which are covered by this permit); and oil, gas, and pipeline construction projects regulated by the Oklahoma Corporation Commission in the State of Oklahoma. Both permits should be issued in the near future.

## IV. Summary of Options for Controlling Pollutants

EPA is providing the following information on controlling pollutants in storm water discharges to assist permittees in preparing storm water pollution prevention plans (SWPPPs). Most controls for construction activities can be categorized in either of two groups: sediment and erosion controls and storm water management measures.

Sediment and erosion controls ordinarily address pollutants in storm water generated from the site during active construction-related work. Storm water management measures are customarily installed before, and coincident with, completion of construction activities, but primarily result in reductions of pollutants in storm water discharged from the site after the construction has been completed. Additional measures that should be employed throughout a project include housekeeping best management practices, such as materials management and litter control.

### *A. Sediment and Erosion Controls*

Erosion controls provide the first line of defense in preventing off-site sedimentation and are designed to prevent erosion through protection and preservation of soil. Sediment controls are designed to remove sediment from runoff before the runoff is discharged from the site. Sediment and erosion controls can be further divided into two major classes of controls: stabilization practices and structural practices. Major types of sediment and erosion practices are summarized below. A more

thorough description of these practices is given in ''Storm Water Management for Construction Activities: Developing Pollution Prevention Plans and Best Management Practices,'' U.S. EPA, 1992. Permittees should also consider the construction of new projects in phases to minimize the amount of bare soil which is exposed at one time and the amount of stabilization or structural controls which would be required.

1. Stabilization Practices

Stabilization refers to covering or maintaining an existing cover over soil. Vegetative cover includes grass, trees, vines, shrubs, etc. Stabilization measures can also include nonvegetative controls such as geotextiles, riprap or gabions (wire mesh boxes filled with rock). Mulches such as straw or bark can be somewhat effectual at stabilization in stand-alone fashion but are most effective when used in conjunction with vegetation.

Stabilization of exposed soil is one of the foremost means to minimize pollutant discharge during construction activities. Stabilization reduces erosion potential by absorbing the kinetic energy of raindrops that would otherwise mobilize unprotected soil; by intercepting water so that it infiltrates into the ground instead of running off the surface; and slowing the velocity of runoff, thereby promoting deposition of sediment already being carried. Stabilization provides large reductions in the levels of suspended sediment in discharges and receiving waters. Examples of stabilization measures are summarized below.

a. *Temporary Seeding.* Seeding of temporary vegetation provides stabilization by establishing vegetative cover at areas of the site where earth disturbing activities have temporarily ceased, but will resume later in the construction project. Without temporary stabilization, soil can be exposed to precipitation for an extended period leaving it vulnerable to erosion, even though earth-disturbing activities are not occurring on these areas. Temporary seeding practices have been found to be up to 95% effective in reducing erosion.[1]

b. *Permanent Seeding.* Establishing a permanent and sustainable ground cover at a site stabilizes the soil and hence reduces sediment in runoff. It is typically required at most sites for aesthetic reasons.

c. *Mulching.* Mulching is often done coupled with permanent and temporary seeding. Where temporary or permanent seeding is not feasible, exposed soil can be stabilized by spreading plant residues or other suitable materials on the soil surface. Although generally not as effective as vegetation, mulching by itself provides a measure of temporary erosion control. Mulching in conjunction with seeding provides erosion protection prior to the onset of plant growth. In addition, mulching protects newly-applied seeds, providing a higher likelihood of successful vegetation. To maintain its effectiveness, mulch should be anchored to resist wind displacement.

d. *Sod Stabilization.* Sod stabilization involves establishing long-term stands of grass by planting sod on exposed surfaces. When maintained properly, sod can be more than 99% effective in reducing erosion, and is the most immediately effective vegetation method available.[2] However, the cost of sod stabilization (relative to other vegetative controls) typically limits its use to situations where a quick vegetative cover is desired (*e.g.*, steep or erodible slopes) and sites which can be maintained with ground equipment. Sod is also sensitive to climate and may require intensive watering and fertilization.

e. *Vegetative Buffer Strips.* Vegetative buffer strips are indigenous or replanted strips of vegetation located at the top and bottom of a slope, outlining property boundaries or adjacent to receiving waters such as streams or wetlands. Vegetative buffer strips can slow runoff at critical locations, decreasing erosion and allowing sedimentation. They can be especially useful for very narrow linear construction projects such as underground utilities or pipelines.

f. *Preservation of Trees.* This practice involves preserving selected trees already on-site prior to development. Mature trees provide extensive canopy and root systems which protect and hold soil in place. Shade trees also keep soil from drying rapidly, decreasing the soil's susceptibility to erosion. Measures taken to protect trees can vary significantly, from simply installing tree armor and fences around the drip line, to more complex measures such as building retaining walls and tree wells. Along with the erosion benefits provided by trees, they can also add to the aesthetics and value of the property.

g. *Contouring and Protection of Sensitive Areas.* Contouring refers to the practice of building in harmony with the natural flow and contour of the land. By minimizing changes in the natural contour of the land, existing drainage patterns are preserved as much as possible, thereby reducing erosion. Minimizing the amount of regrading done will also reduce the amount of soil being disturbed.

The preservation of sensitive areas at a site such as steep slopes and wetlands should also be a priority. Disturbance of soil on steep slopes should be avoided due to vulnerability to erosion. Wetlands should be protected because they provide flood protection, pollution mitigation and an essential aquatic habitat.

2. Structural Practices

Structural practices involve the installation of devices to divert, store or limit runoff. Structural practices have several objectives. First, structural practices can be designed to prevent water from flowing on disturbed areas where erosion may occur. This involves diverting runoff from undisturbed, up-slope areas through use of earth dikes, temporary swales, perimeter dikes or other diversions to stable areas. Another objective of structural practices may be to cause sedimentation before the runoff leaves the site. Methods for removing sediment from runoff include diverting flows to a trapping or storage device or filtering diffuse flows through on-site silt fences. All structural practices require proper maintenance (*e.g.*, removal of collected sediment) to remain functional and should be designed to avoid presenting a safety hazard—especially in areas frequented by children.

a. *Earth Dike.* Earth dikes are temporary berms or ridges of compacted soil that channel water to a desired location. Earth dikes should be stabilized with vegetation or an equally efficacious method.

b. *Silt Fence.* Silt fences are a barrier of geotextile fabric (filter cloth) used to intercept sediment in diffuse runoff. They must be firmly anchored and may require additional support, such as reinforcing with wire mesh. Used alone, silt fences are usually inappropriate for flows of concentrated high volume or high velocity. They must be carefully maintained to ensure structural stability and be cleaned of excess sediment.

c. *Drainage Swales.* A drainage swale is a channel lined with grass, riprap, asphalt, concrete or other materials. They are installed to convey runoff without causing erosion.

d. *Sediment Traps.* Sediment traps are installed in drainage pathways, at storm drain inlets or other discharge points from disturbed areas.

e. *Check Dams.* Check dams are small temporary dams constructed across a

[1] Guidelines for Erosion and Sediment Control in California''; USDA, Soil Conservation Service, Davis, CA; revised 1985.

[2] Ibid.

swale or drainage ditch to reduce the velocity of runoff, thereby reducing erosion in the swale or ditch. They should not be used in a permanent stream. More elaborate erosion controls in a flow conduit may be unnecessary if check dams are installed due to the decrease in energy of the runoff.

f. *Level Spreader.* Level spreaders are outlets for dikes and flow channels consisting of an excavated depression constructed at zero grade across a slope. Level spreaders convert concentrated runoff into diffuse flow and release it onto areas stabilized by existing vegetation.

g. *Subsurface Drain.* Subsurface drains transport runoff to an area where the water can be managed effectively. Drains can be made of tile, pipe, or tubing.

h. *Pipe Slope Drain.* A pipe slope drain is a temporary runoff conveyance running down a slope to prevent erosion on the face of the slope.

i. *Temporary Storm Drain Diversion.* Temporary storm drain diversions are used to re-direct flow in a storm drain for capturing sediment in a trapping device.

j. *Storm Drain Inlet Protection.* Storm drain inlet protection reduces sediment entering storm drainage systems prior to permanent stabilization of disturbed areas. Examples include a sediment filter or an excavated detention area around a storm drain inlet.

k. *Rock Outlet Protection.* Rock protection placed at the outlet of conduits can reduce the depth and velocity of water so the flow will not cause downstream erosion.

l. *Other Controls.* Examples of other controls include temporary sedimentation basins, sump pits, entrance stabilization, waterway crossings and wind breaks.

*B. Storm Water Management Measures*

Storm water management measures are usually installed before, and coincident with, completion of construction activities. The measures primarily result in reductions of pollutants in storm water discharged from the site after cessation of construction activities. Storm water management may also be needed for compliance with local flood control requirements (which may be unrelated to NPDES requirements).

Construction frequently causes significant alterations in the characteristics of the affected land. One such change is an increase in the overall imperviousness of the site, which can dramatically affect the site's flow patterns. An increase in runoff may increase the amount of pollutants carried by the runoff. In addition, some activities (*e.g.*, automobile travel on newly-built roads) can result in higher pollutant concentrations in runoff compared to pre-construction levels. Traditional storm water management controls attempt to limit increases in the amount of runoff and pollution discharged from land impacted by construction.

Storm water management measures include on-site infiltration of runoff, flow attenuation by vegetation or natural depressions, outfall velocity dissipation devices, storm water retention basins and artificial wetlands, and storm water detention structures. For many sites, a combination of these controls may be appropriate. A summary of storm water management controls is provided below. A more complete description of storm water management controls is found in ''Storm Water Management for Construction Activities: Developing Pollution Prevention Plans and Best Management Practices,'' U.S. EPA, 1992, and ''A Current Assessment of Urban Best Management Practices,'' Metropolitan Washington Council of Governments, March 1992. In designing storm water controls, features that would pose a safety hazard—especially for children—should be avoided and/or have limited public access.

a. *On-Site Infiltration.* Inducing infiltration, through infiltration trenches or basins, can reduce the volume and pollutant loadings of storm water discharges from a site. Infiltration measures tend to mitigate impacts to an area's natural hydrologic characteristics. Properly designed and installed infiltration constructs can reduce peak discharges, facilitate recharging of the groundwater, augment low flow conditions in receiving streams, reduce storm water discharge volumes and pollutant loads, and inhibit downstream erosion.

Infiltration measures are particularly effective in permeable soils and where the water table and bedrock are well below the surface. Infiltration basins can also double as sediment basins during construction. Infiltration trenches can be easily incorporated into less active areas of a development and are appropriate for small sites and in-fill developments. However, trenches may require regular maintenance to prevent clogging, particularly where grass inlets or other sedimentation measures are not used. In some situations, such as low density areas of parking lots, porous pavement can provide for infiltration.

b. *Flow Attenuation by Vegetation or Natural Depressions.* Flow attenuation caused by vegetation or natural depressions can facilitate pollutant removal and infiltration and can reduce the erosivity of runoff. Use of vegetative flow attenuation measures can protect habitats and enhance the appearance of a site. These measures include grass swales and filter strips as well as trees that are either preserved or planted during construction.

Incorporating check dams into flow paths can provide additional infiltration and flow attenuation. Given their limited capacity to accept large volumes of runoff (and the concomitant erosivity), vegetative controls should usually be used in combination with other storm water devices. Grass swales are typically used in areas such as low or medium density residential development and highway medians as an alternative to curb and gutter drainage system. In general, the costs of vegetative controls are less than for other storm water measures.

c. *Outfall Velocity Dissipation Devices.* Outfall velocity dissipation devices include riprap and stone or concrete flow spreaders. They slow the flow of water discharged from a site thereby reducing erosion.

d. *Retention Structures/Artificial Wetlands.* Retention structures are ponds and artificial wetlands that are designed to maintain a permanent pool of water. Properly installed and maintained retention structures (also known as wet ponds) and artificial wetlands can achieve a high removal rate of sediment, biochemical oxygen demand (BOD), organic nutrients and metals, and are most cost-effective when used to control runoff from larger, intensively developed site. These constructs rely on settling and biological processes to remove pollutants. Retention ponds and artificial wetlands can also become wildlife habitats, recreation, and landscape amenities, and increase local property values.

While the Agency believes artificial wetlands can be one of the most effective long-term storm water management measures, EPA also recognizes the potential problems to which wetlands may contribute at certain sites. This could be the case at airports where bird populations drawn to wetlands proximate to runways/taxiways may endanger moving aircraft. EPA recommends that structures which maintain continuous habitat for wildlife not be constructed within 10,000 feet of a public-use airport serving turbine-powered aircraft, or within 5,000 feet of a public-use airport serving piston-powered aircraft. EPA, as always, stresses public safety and sound engineering judgement in the implementation of any storm water

measure, control or best management practice.

e. *Water Quality Detention Structures.* Storm water detention structures, which include extended detention ponds, control the rate at which water drains after a storm event. Extended detention ponds are usually designed to completely drain in about 24 to 48 hours and to remain dry at other times. They can provide pollutant removal efficiencies similar to those of retention pond. Extended detention systems are typically designed to provide both water quality and water quantity (flood control) benefits.

*C. Housekeeping Best Management Practices (BMPs)*

Pollutants that could be discharged in storm water from construction sites because of poor housekeeping include oil, grease, paints, gasoline, concrete truck wash down, raw materials used in the manufacture of concrete (sand, aggregate, and cement), solvents, litter, debris and sanitary wastes. Construction site SWPPPs should address the following to prevent the discharge of pollutants:

- Designate and control areas for equipment maintenance and repair;
- Provide waste receptacles at convenient locations and regular collection of wastes;
- Locate equipment wash down areas on site, and provide appropriate control of washwater to prevent unauthorized dry weather discharges and avoid mixing with storm water;
- Provide protected storage areas for chemicals, paints, solvents, fertilizers, and other potentially toxic materials; and
- Provide adequately maintained sanitary facilities.

## V. Summary of Permit Conditions

This section has been written in an informal style and follows the structure of the CGP, but it does not always reflect verbatim the actual language used in the permit. It is intended to help the regulated community and members of the public understand the intent and basis of the actual permit language. If any confusion or conflicts exist between this summary and the actual CGP language, the permittee must comply with the CGP as written. More detail on permit conditions is available in section VIII. Summary of Responses to Comments on the Proposed Permit.

### Part I. Areas Covered by Each Permit, Eligibility for the Permit, Obtaining Coverage and Terminating Coverage

*A. Permit Areas*

Each separate general permit is individually numbered and only provides coverage to construction activities in the permit's designated area or category (*e.g.,* State, Federal facility within a State, Indian Country Land, etc.). Each permittee will be assigned a permit number when his Notice of Intent is processed.

*B. Eligibility*

1. Discharges and Operations Covered

These permits authorize all discharges of storm water from construction activities except those excluded under the Limitations on Coverage section (Part I.B.3) in the CGP. Any discharge authorized by a different NPDES permit may be commingled with discharges authorized by this permit. The permit also authorizes discharges from construction support activities (*e.g.,* concrete or asphalt batch plants, equipment staging yards, material storage areas, etc.) for local project(s) an operator is currently involved with (*e.g.,* a concrete batch plant providing concrete to several different highway projects in the same county). Authorization of this discharge is contingent upon (1) the support activity not being a commercial operation serving multiple, unrelated construction projects and not operating beyond the completion of the last related construction project it serves; and (2) appropriate controls are identified in the storm water pollution prevention plan (SWPPP) for the discharges from the support activity areas.

2. Limitations on Coverage

Not all storm water discharges from construction sites are authorized by this permit. Specifically excluded are:

1. Storm water discharges originating from a site after construction activities have ceased, the site has undergone final stabilization, and an NOT submitted. If there will be a discharge of storm water associated with industrial activity, or some other regulated discharge from the completed project (*e.g.,* wastewater from a newly-constructed chemical plant), coverage under another permit(s) must be obtained for these discharges.

2. Storm water discharges which are mixed with non-storm water sources, other than those identified in and complying with the permit. Non-storm water discharges which are authorized under a different NPDES permit may be commingled with discharges authorized under this permit.

3. Storm water discharges associated with construction activity that are covered under an individual permit or discharges required to be covered under an alternative general permit.

4. Storm water discharges which the Director (EPA) has determined, or thinks may reasonably be expected, to cause or contribute to a violation of water quality standards. The discharges may be authorized, however, if appropriate measures to assure compliance with water quality standards are included in the SWPPP. For example, the Director may determine that, in the absence of controls, a small construction site poses a threat to water quality. He may then allow coverage if control measures addressing the threat are included in the SWPPP and implemented.

5. Discharges which are not protective of endangered species. Before submitting an NOI, the operator should follow the procedures in Addendum A to determine his eligibility for permitting with regard to protection of endangered species. EPA envisions that the project ''owner'' or developer would likely do the endangered species analysis during the planning stages of a project (*i.e.,* before construction is scheduled to begin). By design, this effort should not have to be repeated by the contractors, homebuilders, utilities, etc., whose involvement in the project will not happen until later. (*See* section VIII. Summary of Responses to Comments on the Proposed Permit and Addendum A of the permit for further information.)

*C. Obtaining Coverage*

To obtain authorization to discharge under the general permit, an operator must develop a SWPPP or participate in a joint plan with others, in accordance with the requirements of the CGP. He must then submit a complete and accurate NOI form.

Storm water discharges are authorized two days after the date the NOI is postmarked, unless otherwise notified by EPA. Permittees must implement their SWPPP or their portion of the plan, as soon as they begin work on site. Coverage under the general permit cannot be directly transferred to a new operator; rather a new NOI must be filed by the operator wishing to assume responsibility for permit compliance.

During the first 90 days after the effective date of the CGP, an operator may use the SWPPP developed while he was covered under the previous permit. During the time the new general permit was not available, any operator who has

prepared a pollution prevention plan in accordance with the 1992 general permit may submit an NOI and use his existing SWPPP as an interim plan for 90 days from the effective date of the new permit.

EPA may deny coverage under this permit and require an operator to submit an individual NPDES permit application based on the completeness and/or content of his NOI, or other information such as water quality data, permittee compliance history, etc. If EPA requires a permittee to apply for an individual NPDES permit or an alternative general permit, he will be notified in writing. Coverage under this general permit will automatically terminate if the permittee so notified fails to submit any required individual or alternative permit applications in a timely manner. If an individual permit or alternative general permit was applied for, the date the new permit became effective or denied marks the termination date of this permit.

*D. Terminating Coverage*

To terminate coverage, a permittee must submit a Notice of Termination (NOT) form. The NOT must be filed within 30 days after cessation of construction activities and final stabilization of the permittee's portion of the site (or temporary stabilization for residential construction where a homeowner is assuming control of a property). An NOT must also be submitted by a permittee before another operator assumes the previous permittee's liabilities. NOT requirements are discussed later in this fact sheet.

**Part II. Notice of Intent Requirements**

All applicants for NPDES general permits for storm water discharges associated with industrial activity are required to submit Notices of Intent (NOI) to obtain permit coverage (40 CFR 122.28(b)(2)). Submission of a complete and accurate NOI eliminates the need to apply for an individual permit for a regulated discharge, unless the Director specifically notifies the discharger that an individual permit application must be submitted.

Only NOI forms provided by EPA (or photocopies thereof) are valid. A revised, simplified NOI form has been developed for the CGP but was not available as of the effective date of this permit (final approval had not yet been obtained from the U.S. Office of Management and Budget). As soon as the revised form is approved it will be published in the **Federal Register**. All applicants thereafter must use the revised NOI form. Until the revised NOI form is available, operators must continue to use the existing NOI. Though applicants are only required to complete information on the form related to the previous Baseline Construction General Permit, they must be aware that by signing and dating the form they certifying that they understand and are willing to comply with all terms and conditions of the NPDES permit they have applied for, namely the Construction General Permit. These conditions include those found in Part I.B (Permit Eligibility) of the permit.

It is acceptable to fill in information that will be the same for every project (e.g., a company's name, address) and make copies of the partially completed form for future use. An electronic version of the existing NOI form is currently available on EPA's Office of Wastewater Management web site on the Internet and various EPA Regional web pages. The revised NOI form will likewise be added when it becomes available for use.

Each entity meeting either of the two criteria for an operator must submit an NOI. For more details on who must file an NOI, see section V, Part III.E of this Fact Sheet. The proposed definition of ''operator'' has been clarified in the final permit and the existing regulatory definitions of ''owner or operator'' and ''facility or activity'' have also been included. Clarifications to the definition of ''operator'' were made because some of the regulated community felt the previous definition was nebulous. For further discussions on ''operator'' as related to construction activity, see section VIII, Summary of Responses to Comments, of this Fact Sheet.

EPA believes there exist situations where a utility company installing service lines meets the definition of operator and must get permit coverage, although most of the time a utility would be considered a ''subcontractor'' (*i.e.*, non-permittee). If a utility company is constructing a project for itself (*e.g.*, main transmission line, transformer station) it must obtain permit coverage. Otherwise, as a non-permittee working at construction site, EPA encourages utility companies (as it does any subcontractor) to abide by the site's SWPPP provisions and minimize its impacts on storm water controls.

*A. Deadlines for Submitting NOIs*

An operator's Notice of Intent must be postmarked at least two days prior to commencement of any work on site (if he has control over plans and specifications) or two days prior to commencement of his portion of the work (if he has only day-to-day operational control).

Permittees authorized to discharge under the previous 1992 general permit must submit a new NOI within 90 days of the effective date of this permit in order to continue authorization to discharge after 90 days. An NOI is not required if the permittee will be eligible to submit an NOT (*i.e.*, construction finished and final stabilization complete) before the 90th day.

Permittees authorized to discharge under the 1992 permit and those allowed to use a SWPPP developed in accordance with the 1992 permit, must continue to comply with that plan and update it as necessary, to comply with the requirements of the CGP within 90 days after the **Federal Register** publication date of the CGP.

EPA will accept a late NOI, but the authorization only covers discharges from two days after the postmark date. The authorization does not retroactively apply to any prior, unpermitted discharges. The Agency reserves the right to take enforcement action for any unpermitted discharges of pollutants to waters to the United States.

*B. Contents of the New (Revised) NOI*

The revised NOI form (available following OMB approval and publication in the **Federal Register**) requires the following information (instructions are on NOI form):

- The operator's (applicant's) name, address, telephone number and whether they are a Federal, State, Tribal, public or private entity (*e.g.*, ''XYZ Construction, 123 South St., Anyburg, TX, 214–555–5555, P'' [P for private company]);
- The street address (description of location if street address is unavailable), county, and the latitude and longitude of the approximate center of the construction site (*e.g.*, ''123 South St., Anyburg, Our County, NH'' or ''1 mile south of Anyburg, NH, on County Road No. 1; Anyburg, Our County, NH'') Help on finding your latitude and longitude is provided in the instructions to the NOI form. If you will be involved in many construction projects, you may wish to invest in a portable Global Positioning System (GPS) unit that provides read-outs of the latitude and longitude. Units designed for recreational use (*e.g.*, boating, hiking) can cost less than $200.
- Whether or not the construction project is located on an Indian Country land;
- The name of the receiving water(s), or if the discharge is through a municipal separate storm sewer, the name of the municipal operator of the

storm sewer and the receiving water(s) (*e.g.*, ''Nimby Creek'' or ''Anyburg, NH'' for municipal storm sewers);

• An estimate of project start date and completion date and an estimate of the number of acres of the site on which soil will be disturbed. Note that the project start and stop dates need not be exact. EPA recognizes that many factors, often beyond the permittee's control, contribute to whether a project will actually start or end on the estimated dates. Acreage may be determined by dividing square footage by 43,560, as demonstrated in the following example:

*Convert 54,450 ft² to acres*

- Divide 54,450 ft² by 43,560 square feet per acre:
- 54,450 ft² ÷ 43,560 ft²/acre = 1.25 acres

• Whether or not the SWPPP has been prepared and (optional) the location of where the plan can be viewed if different from the project address;

• Whether any endangered species identified in Addendum A of the permit are in proximity to the construction project and which of the listed options enables the operator to claim eligibility for permit coverage (see Addendum A for instructions);

• A signature block is provided following a certification statement that everything on the NOI form is correct. The proposed CGP contained multiple certifications but these were eliminated by incorporating an introductory statement into the NOI that submission of the NOI constitutes an agreement to comply with the permit and that the permittee is, in fact, eligible for permit coverage.

The NOI must be signed in accordance with the signatory requirements of 40 CFR 122.22. A complete description of these signatory requirements is provided in Part VI., Standard Permit Conditions, of the general permit.

*C. Where To Submit the NOI*

Completed NOI forms are to be sent to the NOI Processing Center at the address indicated in the permit, or as otherwise indicated on the latest approved revision to the NOI form. Copies of NOI forms must also be sent to certain States and Tribes as specified in Part X of the permit.

**Part III. Special Conditions, Management Practices and Other Non-Numeric Limitations**

*A. Prohibition of Non-Storm Water Discharges*

The CGP does not authorize discharge of unpermitted, non-storm water, either alone or mixed with storm water, except for the specific classes of non-storm water discharges described in the permit. Discharges of material other than storm water which are in compliance with another NPDES permit may be mixed with storm water discharges authorized by this permit. Authorized non-storm water discharges could include: [3]

• Firefighting activity runoff;

• Fire hydrant flushings;

• Vehicle washwater if detergents are not used;

• Dust control runoff in accordance with permit conditions;

• Potable water sources including waterline flushings;

• Routine external building wash-down that did not involve detergents;

• Non-detergent pavement washwater (where spills/leaks of toxic or hazardous materials have not occurred, unless all spilled material had been removed);

• Air conditioning condensate;

• Uncontaminated ground water or spring water;

• Foundation or footer drain-water (providing there was no contamination with process materials such as solvent).

To be authorized for discharge under the CGP, the above-listed sources of non-storm water (except firefighting runoff) must be specifically identified in the SWPPP prepared for the facility. Non-storm water flows from firefighting activities are exempt from control requirements due to the ephemeral and exigent nature of these activities. If practicable, however, the permittee must take action to mitigate the impacts of firefighting runoff on receiving water quality.

For discharges not covered by today's permit (*e.g.*, industrial process wastewater or process wastewater mixed with storm water), the discharger must submit the appropriate application forms (Forms 1 and 2C) to obtain permit coverage or discontinue the discharge. ''Allowable'' non-storm water discharges cannot be authorized under this permit, unless they are directly related to and originate from a construction site or dedicated support activity site (e.g., a pressure washing company cannot broadly use the CGP for their business operations, because general vehicle washing is not associated with a construction site).

*B.&C. Releases of Reportable Quantities of Hazardous Substances or Oil*

The CGP requires the permittee to prevent or minimize the discharge of hazardous substances or oil from a site in accordance with the his SWPPP. Furthermore, if a permitted discharge contains a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under 40 CFR 110, 40 CFR 117, or 40 CFR 302, during a 24-hour period, the National Response Center (NRC) must be notified (dial 800–424–8802 or 202–426–2675 in the Washington, DC area). Also, within 14 calendar days of knowledge of the release, the SWPPP must be modified to include the date and description of the release, the circumstances leading to the release, responses to be employed for such releases, and measures to prevent the reoccurrence of such releases.

Where a discharge of a hazardous substance or oil in excess of reportable quantities is associated with a non-storm water discharge (*e.g.*, a spill of oil into a separate storm sewer), the spill would not be authorized by this permit. Spills must still be reported as required under 40 CFR 110. Also applicable are Section 311 of the CWA and certain provisions of Sections 301 and 402 of the CWA. This approach is necessary because of statutory requirements that make a clear distinction between hazardous substances typically found in storm water discharges and spilled hazardous substances that are not (See 40 CFR 117.12(d)(2)(i)).

*D. Compliance With Water Quality Standards*

The previous permit did not specifically address water quality standards (WQS). The CGP contains an eligibility condition that does not authorize discharges from construction sites that the Director determines will cause, or have reasonable potential to cause or contribute to, violations of water quality standards. Where such determinations have been made, the Director may notify the operator(s) that an individual permit application is necessary. However, the Director may authorize coverage under the permit after appropriate controls and implementation procedures designed to bring the discharges into compliance with water quality standards have been included in the SWPPP.

If a discharge authorized under this permit is later discovered to cause, or have the reasonable potential to cause or contribute to the violation of a WQS, the permitting authority will inform the permittee of the violation. The permittee must then take all necessary actions to ensure future discharges do not cause or contribute to the violation of a WQS, and document these actions in the SWPPP. If violations remain or reoccur, coverage under this permit may be terminated by the permitting authority

[3] These discharges are consistent with the allowable classes of non-storm water discharges to municipal separate storm sewer systems (40 CFR 122.26(d)(2)(iv)(B)).

and an alternative permit issued. Compliance with this requirement does not preclude enforcement actions as provided by the Clean Water Act for the underlying violation.

*E. Operator Responsibility*

The proposed CGP attempted to outline the responsibilities expected of the variety of operators who may be working at a construction site. For the final permit, this section has been clarified and acknowledges it is possible for one operator to have operational control over all aspects of the project (and thus be the sole permittee), vice the situation where multiple entities meet the definition of operator and would otherwise all need permits. Permittees who intend to act as the sole ''overall'' operator need to comply with both the ''plans and specifications'' and ''implementation'' requirements of the SWPPP.

The permit also stipulates that an operator with control over only a portion of a project is only responsible for permit/SWPPP compliance as it relates to his activities. An operator must also ensure he does not impact another permittee's pollution controls (*e.g.,* if you knock down another operator's silt fence, you should repair it or at a minimum inform the operator). Permittees must either implement their portion of a joint SWPPP or develop and implement their own individual SWPPP.

**Part IV. Storm Water Pollution Prevention Plan Requirements**

The SWPPP focuses on two major requirements: (1) Providing a site description that identifies sources of pollution to storm water discharges associated with industrial activity on site; and

(2) Identifying and implementing appropriate measures to reduce pollutants in storm water discharges to ensure compliance with the terms and conditions of this permit. All SWPPPs must be developed in accordance with sound engineering practices.

In the development of this permit, the Agency used requirements similar to those found in numerous State and local sediment and erosion control and storm water management programs, covering a variety of climates and types of construction.

*A. Deadlines for Plan Preparation*

For coverage under this permit, the SWPPP must be prepared before submittal of an NOI and then updated as appropriate (except as allowed for interim plans during the first 90 days of this permit).

*B. Signature, Plan Review and Making Plans Available*

1. Signature

The SWPPP must be signed in accordance with the signatory requirements in the Standard Permit Conditions section of the CGP.

2. Plan Review

The Agency may notify the permittee at any time that his plan does not meet one or more of the requirements. The notification will identify which requirements of the permit are being unmet and which elements of the SWPPP require modification. Within seven calendar days of receipt of notification from EPA (or as otherwise requested by EPA), the required changes to the plan must be made and a certification submitted that the changes have, in fact, been made and implemented.

3. Making Plans Available

Permittees must make SWPPPs available, upon request, to EPA, State, Tribal or local agencies approving sediment and erosion plans, grading plans or storm water management plans. Plans may also have to be sent to local government officials or the operator of the municipal separate storm sewer which receives the discharge.

A notice about the permit and SWPPP must be conspicuously posted near the main entrance of the site. If displaying near the main entrance is infeasible, the notice can be posted in a local public building such as the town hall or public library. For linear projects, the notice must be posted at a publicly accessible location near the active part of the construction project (*e.g.,* where a pipeline project crosses a public road).

The permit notice must include the following information:

- The project's NPDES permit number;
- The name and phone number of a local contact;
- A brief project description; and
- The location of the SWPPP if not kept on site.

The permit does not require that the general public have access to the construction site nor does it require that copies of the plan be available or mailed to members of the public. However, EPA strongly encourages permittees to provide public access to SWPPPs at reasonable hours. Upon request, EPA intends to assist members of the public in obtaining access to permitting information, including SWPPPs. EPA believes this approach will create a balance between the public's need for information on projects potentially impacting their water bodies and the site operator's need for safe and unimpeded work conditions.

*C. Keeping SWPPPs Current*

Storm water pollution prevention plans must be revised whenever a change in design, construction method, operation, maintenance procedure, etc., may cause a significant effect on the discharge of pollutants to surface waters or municipal separate storm sewer systems. The plan must also be amended if inspections indicate the SWPPP is ineffective in eliminating or significantly reducing pollutants in the discharges from the construction site. In addition, the plan must be updated to identify any new operator who will implement a portion of the SWPPP.

*D. Contents of the Plan*

The storm water pollution prevention plan must include:

- A site description;
- A description of controls that will be used on site (*i.e.,* the erosion and sediment controls and storm water management measures);
- A description of maintenance and inspection procedures; and
- A description of pollution prevention measures for any non-storm water discharges present.

1. Site Description

The SWPPP must be based on an accurate assessment of the potential for generating and discharging pollutants from the site. Hence, the permit requires the identification of potential sources of pollution at a construction site that may reasonably be expected to impact the quality of the site's storm water discharges. There must also be a description of the site and anticipated construction activities in the SWPPP (to provide a better understanding of site runoff characteristics). At a minimum, SWPPPs must contain the following:

- A description of the nature of the construction activity including the function of the project (*e.g.,* low-density residential, shopping mall, highway, etc.);
- A description of the intended significant activities, presented sequentially, that disturb soil over major portions of the site (*e.g.,* grubbing, excavation, grading);
- Estimates of the total area of the site and the total area of the site that is expected to be disturbed by excavation, grading or other activities, including off-site borrow/fill areas. It may be preferable to separately describe portions of the site as they are disturbed at different stages of the construction process;

• Estimates of the site's runoff coefficient (used for calculating the volume of runoff) during and after construction as well as data describing the quality of any discharge from the site or the soil. The runoff coefficient is defined as the fraction of total precipitation that will appear at a conveyance as runoff (vs. infiltrated precipitation). Runoff coefficients can be estimated from site plan maps, which show where impervious surfaces, vegetation and permeable surfaces will be. These coefficients are used to help determine pollutant loadings, potential hydraulic impacts to receiving waters and flooding impacts. They are also used in the design of post-construction storm water management measures;

• A site map indicating: (1) Anticipated drainage patterns and slopes after major grading activities; (2) areas of soil disturbance and areas that will not be disturbed; (3) locations of major structural and nonstructural controls identified in the plan; (4) locations of planned stabilization measures; (5) locations of surface waters (including wetlands); (6) locations of discharge points to surface waters; (7) off-site locations of equipment storage, material storage, waste storage and borrow/fill areas. Site maps should also include other major features and potential pollutant sources, such as locations of impervious structures and soil storage piles;

• A description of any discharge associated with industrial activity other than construction (including storm water discharges from dedicated asphalt plants, concrete plants, etc.) and the location of that activity on the construction site;

• The name of receiving waters and the areal extent of wetlands at the site; and

• Information on endangered and threatened species including whether any endangered species are in proximity to the permit area as defined in Addendum A to the permit.

2. Controls to Reduce Pollutants

The SWPPP must describe the implementation of practices that will be used to reduce the pollutants in storm water discharges from the site and assure compliance with the terms and conditions of the permit. Four classes of controls must be developed and implemented: (1) Erosion and sediment; (2) storm water management; (3) a specified set of other controls; and (4) any applicable requirements of State, Tribal and local sediment and erosion plans or storm water management plans.

The SWPPP must describe the intended sequence of major storm water control activities and when, in relation to the construction process, they will be implemented. EPA recognizes that many factors can impact the actual construction schedule, so the permittee need not include specific dates (*e.g.*, plan could say install silt fence for area ''A'' before rough grading, rather than put up silt fences on August 15). Good site planning and preservation of mature vegetation are imperative for controlling pollution in storm water discharges both during and after construction activities. Properly staging major earth disturbing activities can also dramatically decrease the costs of sediment and erosion controls.

Permittees must develop and implement controls in the SWPPP for each of the four categories discussed below.

a. *Erosion and Sediment Controls.* Erosion and sediment controls include both stabilization practices and structural practices. The requirements for erosion and sediment controls for construction activities in this permit have the following goals and criteria:

• Construction phase erosion and sediment controls should be designed with the objective to retain sediment on site;

• Control measures must be properly selected and installed in accordance with sound engineering practices and manufacturers specifications;

• Off-site accumulations of sediment must be regularly removed to minimize impacts;

• Sediment should be removed from sediment traps when the design capacity has been reduced by 50%;

• Litter shall be prevented from entering a receiving water; and

• Off-site material storage areas must be addressed in the SWPPP.

b. *Stabilization Practices.* Stabilization practices are the first line of defense in preventing erosion. The SWPPP must include a description of interim and permanent stabilization practices, including a schedule of their implementation. The permittee should ensure that existing vegetation is preserved wherever possible and that disturbed portions of the site are stabilized as quickly as practicable. Stabilization practices include seeding of temporary vegetation, seeding of permanent vegetation, mulching, geotextiles, sod stabilization, vegetative buffer strips, preservation of trees and mature vegetative buffer strips, and other appropriate measures. Temporary stabilization can be the single-most important factor in reducing erosion at construction sites.

Stabilization also involves preserving and protecting selected trees on the site prior to development. Mature trees have extensive canopy and root systems, which help to hold soil in place. Shade trees also keep soil from drying rapidly and becoming susceptible to erosion. Measures taken to protect trees can vary significantly, from simple ones such as installing tree armoring and fencing around the drip line, to more complex measures such as building retaining walls and tree wells.

It is imperative that stabilization be employed as soon as possible in critical areas. The CGP requires that, except in three situations, stabilization measures must be instituted on disturbed areas as soon as practicable, but no more than 14 days after construction activity has temporarily or permanently ceased on any portion of the site. The three exceptions to this requirement are the following:

• When construction activities will resume on a portion of the site within 21 days from suspension of previous construction activities;

• When the initiation of stabilization measures is precluded by snow cover or frozen ground, in which case they must be initiated as soon as practicable; and

• In arid areas (areas with an average annual rainfall of 0 to 10 inches), semi-arid areas (10 to 20 inches) and areas experiencing droughts; where the initiation of stabilization measures is precluded by seasonal arid conditions. For the last case, stabilization measures must be initiated as soon as precipitation becomes possible.

c. *Structural Practices.* The SWPPP must include a description of structures built to divert flows from exposed soils, and store or otherwise limit runoff and the discharge of pollutants from exposed areas of the site. Structural controls are necessary because vegetative controls cannot be employed where soil is continually disturbed and because of the lag time before vegetation becomes effective. Options for such controls include silt fences, earth dikes, drainage swales, check dams, subsurface drains, pipe slope drains, level spreaders, storm drain inlet protection, rock outlet protection, sediment traps, reinforced soil retaining systems, gabions and temporary or permanent sediment basins. Placement of structural controls in flood plains should be avoided, rather they should be located on upland soils to the degree possible.

For sites with more than 10 disturbed acres at a time, all of which are served by a common drainage location, a sediment basin providing 3,600 cubic feet of storage per acre drained, or equivalent control measures (such as suitably-sized dry wells or infiltration structures), must be provided where

practicable until final stabilization of the site has been accomplished. In lieu of the default 3,600 cubic feet/acre, the permittee can calculate the basin size based on the expected runoff volume from the local two-year, 24-hour storm event and local runoff coefficient. Flows from off-site or on-site areas that are undisturbed or have undergone final stabilization, may be diverted around both the sediment basin and the disturbed area. These diverted flows can be ignored when designing the sediment basin.

For the drainage locations which serve more than 10 disturbed acres at a time and where a sediment basin designed according to the above guidelines is not feasible, smaller sediment basins or traps should be used. At a minimum, silt fences, vegetative buffer strips or equivalent sediment controls are required for all down-slope and appropriate mid-slope boundaries of the construction area. Diversion structures should be used on upland boundaries of disturbed areas to prevent run-on from impacting disturbed areas. EPA does not intend to imply that silt fences or vegetative buffer strips on down-slope boundaries are the only BMPs that need to be used to protect water quality. EPA encourages the use of a combination of sediment and erosion control measures in order to achieve maximum pollutant removal.

For drainage locations serving 10 or less acres, smaller sediment basins or sediment traps should be used and, at a minimum, silt fences or equivalent sediment controls are required for all down slope and appropriate mid-slope boundaries of the construction area. Alternatively, the permittee may install a sediment basin providing storage for 3,600 cubic feet (or the alternative calculated volume) of storage per acre drained. Diversion structures should be installed on upland boundaries of disturbed areas to prevent run-on. EPA does not intend to imply that silt fences or vegetative buffer strips on down-slope boundaries are the only BMPs that need to be used to protect water quality. EPA encourages the use of a combination of sediment and erosion control measures in order to achieve maximum pollutant removal.

d. *Storm Water Management.* The SWPPP must include a description of storm water management measure, however this permit addresses only the installation of these measures; not the ongoing operation and maintenance of them after cessation of construction activities and final stabilization. Permittees are responsible only for the installation and maintenance of storm water management measures prior to final stabilization of the site. However, when selecting storm water management measures, the amount of required maintenance should be considered and whether there will be adequate resources for maintaining them over the longer term.

Some discharges of pollutants from post-construction storm water management structures may need to be authorized under an NPDES permit (*e.g.*, the construction project was an industrial facility in a sector covered by the NPDES multi-sector general permit). The owner/operator of such discharges may inquire with EPA if this requirement applies to them.

Land development can significantly increase storm water runoff volume and peak velocity if appropriate storm water management measures are not implemented. In addition, post-development storm water discharges will typically contain higher levels of pollutants, including total suspended solids (TSS), heavy metals, nutrients and high oxygen-demand components.

Storm water management measures installed during the construction process can control the volume and velocity of runoff, as well as reduce the quantity of pollutants discharged post-construction. Reductions in peak discharge velocity and volume can reduce pollutant loads as well as diminish physical impacts such as stream bank erosion and stream bed scour. Storm water management measures that mitigate changes to pre-development runoff characteristics assist in protecting and maintaining the physical and biological characteristics of receiving streams and wetlands.

Structural measures should be installed on upland areas to the extent feasible. The installation of such measures may be subject to section 404 of the CWA if they will be located in wetlands (or other waters of the United States).

Options for storm water management measures that should be evaluated in the development of plans include:

- On-site infiltration of precipitation;
- Flow attenuation by use of open vegetated swales and natural depressions;
- Storm water retention/detention structures (including wet ponds); and
- Sequential systems using multiple methods.

The pollution prevention plan shall include an explanation of the technical basis used to select control measures, where flows exceed pre-development levels. This explanation should address how a number of factors were evaluated including the pollutant removal efficiencies of the measures, costs of the measures, site-specific factors that will affect the utility of the measures, whether the measure is economically achievable at a particular site and any other relevant factors.

Although not a limitation or performance standard in the permit, EPA anticipates that storm water management measures at many sites will be able to achieve removal of at least 80% of total suspended solids. A number of storm water management measures can be used to achieve this level of control, including:

- Properly designed and installed wet ponds;
- Infiltration trenches and basins;
- Sand filter systems;
- Manmade storm water wetlands; and
- Multiple pond systems.

The pollutant removal efficiencies of various storm water management measures can be estimated from a number of sources, including ''Storm Water Management for Construction Activities: Developing Pollution Prevention Plans and Best Management Practices,'' U.S. EPA, 1992, and ''A Current Assessment of Urban Best Management Practices'' prepared for U.S. EPA by Metropolitan Washington Council of Governments, March 1992.

In selecting storm water management measures, the permittee should consider the impacts of each method on other water resources, such as ground water. Although SWPPPs primarily focus on storm water management, EPA encourages facilities to avoid creating groundwater pollution problems. For example, if the water table is high in an area or soils are especially porous, an infiltration pond may contaminate the groundwater unless special preventive measures are taken. Per EPA's July 1991 Ground Water Protection Strategy, States are encouraged to develop Comprehensive State Ground Water Protection Programs (CSGWPP). Efforts to control storm water should be compatible with State or Tribal ground water objectives as reflected in CSGWPPs. Storm water controls, such as wet ponds, should also be designed to have minimal safety risks, especially to children.

The evaluation of whether the pollutant loadings and the hydrologic conditions (the volume of discharge) of flows exceed pre-development levels can be based on hydrologic models which consider conditions such as the natural vegetation endemic to the area.

Increased discharge velocities can greatly accelerate erosion near the outlet of structural measures. To mitigate these effects, velocity dissipation devices should be placed at discharge points

and along the length of a runoff conveyance, as necessary, to provide a non-erosive flow. Velocity dissipation devices help protect a water body's natural, pre-construction physical and biological uses and characteristics (*e.g.*, hydrologic conditions such as the hydro period and hydrodynamics).

e. *Other Controls.* Other controls to be addressed in SWPPPs for construction activities are for compliance with the requirement that nonsolid materials, including building material wastes, not be discharged at the site except as authorized by a section 404 permit.

This permit requires vehicular tracking of soil off-site and the generation of dust must be minimized. Dust and dirt-tracking can be minimized by measures such as providing gravel or paving at entrance/exit drive paths, parking areas and unpaved transit ways on the site carrying significant amounts of traffic (*i.e.*, more than 25 vehicles per day); providing entrance wash racks or stations for trucks; and performing street sweeping.

In addition, the SWPPP must clearly show compliance with applicable State/Tribal or local sanitary sewer, septic system and waste disposal regulations to the extent they apply to the permitted activity.[4] The plan must also contain a description of practices to reduce pollutants from construction-related materials which are stored on site, including a description of said construction materials (with updates as appropriate). The plan should include a description of pollutant sources from areas untouched by construction and a description of controls and measures which will be implemented in those areas.

The plan must also include measures to protect listed endangered and threatened species and/or critical habitat (if applicable), including any terms or conditions that are imposed pursuant to the eligibility requirements of Part I.B.3.e and Addendum A of this permit, from storm water discharges or BMPs to control storm water runoff. Failure to include these measures will result in the storm water discharges from the construction activities being ineligible for coverage under this permit. (*See* section VI. Endangered Species Protection and also section VIII. Summary of Responses to Comments for more discussion.)

*f. State/Tribal and Local Controls.* Many States, Tribes, municipalities and counties have developed sediment and erosion control requirements for construction activities. A significant number have also developed storm water management requirements. The CGP requires that SWPPPs for facilities that discharge storm water associated with industrial activity from construction activities be consistent with procedures and requirements of State/Tribal and local sediment and erosion control plans and storm water management plans. The proposed requirement to have permit applicants certify that their SWPPP incorporates requirements related to protecting water resources that are specified in State/Tribal or local sediment and erosion plans or storm water management plans has been eliminated.

*g. Maintenance.* Erosion and sediment controls can become ineffective if they are damaged or not properly maintained. The SWPPP requires all erosion and sediment control measures to be maintained in effective operating condition. If site inspections identify BMPs that are not operating effectively, maintenance must be performed before the next anticipated storm event. If maintenance before the next anticipated storm event is impracticable, maintenance must be completed as soon as practicable.

*h. Inspections.* Permittees must inspect designated areas on the site at least once every 14 calendar days, and within 24 hours after any storm event of 0.5 inches or greater. EPA also recommends that permittees perform a ''walk through'' inspection of the construction site before anticipated storm events (or series of events such as intermittent showers over a period of days) that could potentially yield a significant amount of runoff.

Visual inspections must comprise, at a minimum:

- Disturbed areas;
- Areas used for storage of exposed materials;
- Sediment and erosion control measures; and
- Locations where vehicles enter or exit the site.

For sites that have undergone stabilization (temporary or final) or experience seasonal aridity (average annual rainfall of 0 to 10 inches) or semi-aridity (annual rainfall of 10 to 20 inches), inspections must be conducted at least once a month. Where construction activity has been halted due to frozen conditions, inspections are not required until one month before thawing is expected (*i.e.*, snowmelt runoff would commence).

Where discharge points are accessible, they must be inspected to ascertain whether erosion control measures are effective in preventing impacts to receiving waters. This can be done by inspecting the waters for evidence of erosion or sediment introduction. If discharge points are inaccessible, the permit requires that nearby downstream locations be inspected, if practicable.

Were an inspection to reveal inadequacies, the site description and pollution prevention measures identified in the SWPPP must be revised. All necessary modifications to the SWPPP must be made within seven calendar days following the inspection. If existing BMPs need to be modified or if additional BMPs are necessary, implementation shall be completed before the next anticipated storm event. If implementation before the next storm event is impracticable, they shall be implemented as soon as practicable.

Once an inspection has been performed, a report containing the following must be retained with the SWPPP for up to three years after the site has been finally stabilized:

- Components and scope of the inspection;
- Names and qualifications of personnel conducting the inspection;
- Dates of the inspection;
- Observations relating to the implementation of the SWPP;
- Actions taken; and
- Incidents of non-compliance.

If no incidents of non-compliance were found, the report shall contain a certification that the facility is in compliance with the SWPPP and this permit. Finally, the report must be signed in accordance with the signatory requirements in Part VI. Standard Permit Conditions section of the CGP.

Diligent inspections are vital for ensuring effective implementation of sediment and erosion controls, particularly in the later stages of construction when the volume of runoff is greatest and storage capacity of sediment basins has been reduced.

*i. Non-Storm Water Discharges.* The SWPPP must identify and ensure the implementation of appropriate pollution prevention measures for each of the eligible non-storm water components of the discharge covered by this permit. The eligible non-storm water discharges

[4] In rural and suburban areas served by septic systems, malfunctioning septic systems can contribute pollutants to storm water discharges. Malfunctioning septic tanks may be a more significant surface runoff pollution problem than a groundwater problem. This is because a malfunctioning septic system is less likely to cause groundwater contamination where a bacterial mat in the soil retards the downward movement of wastewater. Surface contamination can be caused by clogged or impermeable soils, or when clogged or collapsed pipes force untreated wastewater to the surface. The extent of surface contamination can vary in degree from occasional damp patches to constant pooling or runoff of wastewater. These discharges have high bacteria, nitrate and nutrient levels and can contain a variety of household chemicals. This permit does not establish new criteria for septic systems, but rather requires addressing existing State or local criteria.

are discussed in section V. Part III. Special Conditions, Management Practices, and Other Non-Numeric Limitations in the Fact Sheet.

*j. Additional Requirements.* Storm water from a permitted industrial source other than construction activities is authorized for discharge when commingled with construction storm water only under the following conditions: (1) The other industrial source is located on the same site as the construction activity; and (2) storm water discharges from the permitted construction site are in compliance with the terms of this permit.

*k. Contractors and Subcontractors.* The SWPPP must identify who will be responsible for implementing each measure contained in the plan. It is the permittee's responsibility to provide necessary information on complying with their SWPPP and the permit to their contractors and subcontractors.

**Part V. Retention of Records**

The permittee must retain all records and reports required by this permit, including SWPPPs and information used to complete the NOI, for at least three years from the date of final stabilization. This period may be extended by request of the Director.

A copy of the SWPPP must be kept at the construction site from the date of project initiation to the date of final stabilization. Permittees with day-to-day operational control over the plan's implementation must keep a copy of the plan readily available whenever they are on site (a central location accessible by all on-site operators is sufficient). If an on-site location is unavailable to store the SWPPP when no personnel are present, notice of the plan's location must be conspicuously posted at the construction site. A copy of the SWPPP must be readily available to authorized inspectors during normal business hours.

**Part VI. Standard Permit Conditions**

This section of the permit contains the standard permit conditions required by 40 CFR 122.41. One condition is the procedure for continued coverage under a general permit if it expires prior to a replacement permit being issued. In short, the expired permit would remain in full force and effect in accordance with the Administrative Procedures Act. Any permittee granted coverage prior to the permit's expiration date will automatically remain covered by the continued permit until the earliest of:

- The permit being reissued or replaced;
- The permittee terminating coverage by submitting an NOT;
- Issuance of an individual permit for the permittee's discharges; or
- A formal decision by the Director not to reissue the general permit, at which time the permittee must seek coverage under an alternative general permit or an individual permit.

(For more information, see section VIII. Summary of Responses to Comments on the Proposed Permit.)

**Part VII. Reopener Clause**

The permit contains a reopener clause allowing the permit to be reopened and modified for cause during the term of the permit. Generally, this would be triggered by a water quality concern, a change in NPDES statutes, or to incorporate procedures developed by the EPA and the Advisory Council for Historic Preservation to provide for additional consideration of effects to properties either listed or eligible for listing in the National Register of Historic Places.

**Part VIII. Notice of Termination Requirements**

Permittees must submit a completed Notice of Termination (NOT) that is signed according to Part VI.G of the permit when one or more of the conditions contained in Part I.D.2 of the permit have been met. NOTs must be submitted using the form provided by the Director (*i.e.,* use the existing NOI form found in Appendix D of the permit until the revised version is published in its final form in the **Federal Register**), or a photocopy thereof. NOTs provide EPA with a useful mechanism to track the status of projects which are actively covered by the permit.

Significant parts of the NOT are:

- Permittee name and contact information, and site location information;
- The permit number which is being terminated;
- Permittee certification that he understands that submission of the NOT means he no longer will have authorization to discharge storm water associated with construction activity;
- Clarification that the authorization to discharge ends at midnight of the day the NOT is postmarked; and
- The conditions under which an NOT can be submitted.

**Part IX. Definitions**

The permit contains 21 definitions of statutory, regulatory and other terms important for understanding the permit and its requirements. See section VIII. Summary of Responses to Comments for discussions on the critical definitions of ''operator'' and ''final stabilization.''

**Part X. Permit Conditions Applicable to Specific States, Indian Country Lands or Territories**

Permit conditions that only apply to construction projects located in a specific State, Indian land or other area are in Part X of the permit. These conditions are modifications or additions to analogous conditions in Parts I through IX of the ''generic'' portion of the CGP, and reflect additional requirements arising from the State section 401 (Clean Water Act) or Coastal Zone Management Act (CZMA) certification processes or as otherwise established by the permitting authority. EPA must include any more stringent permit conditions required by a State or Tribe to get State/Tribal certifications of the permit under section 401 (*See* 40 CFR 122.44(d)(3)) or CZMA (*See* 40 CFR 122.49(d)).

Areas with special area-specific conditions are:

Region 1

- Commonwealth of Massachusetts, except Indian Country lands.
- State of Maine, except Indian Country lands.

Region 8

- Indian Country lands in the State of Montana.

Region 9

- State of Arizona, except Indian Country lands.
- Island of Guam.
- Commonwealth of Northern Mariana Islands.

Region 10

- State of Alaska, except Indian Country lands.
- State of Idaho, except Indian Country lands.
- Federal facilities in the State of Washington, except those located on Indian Country lands.
- Indian Country lands in the State of Washington.

**VI. Endangered Species Protection**

*A. Background*

The CGP also contains conditions to ensure the activities regulated by it are protective of species that are listed under the Endangered Species Act (ESA) as endangered or threatened (known as ''listed species''), and listed species habitat that is designated under the ESA as critical (''critical habitat''). In addition, the permit's coverage does not extend to discharges and discharge-related activities likely to jeopardize the continued existence of species proposed but not yet listed as endangered or threatened or result in the adverse

modification of habitat proposed to be designated critical habitat.

The ESA places several different requirements on activities covered by the CGP. First, section 9 of the ESA and the ESA implementing regulations generally prohibit any person from ''taking'' a listed animal species (*e.g.*, harassing or harming it) unless the take is authorized under the ESA. This prohibition applies to all entities and includes EPA, permit applicants, permittees and the public at large. Second, section 7(a)(2) of the ESA requires that Federal agencies consult with the Fish and Wildlife Service (FWS) or the National Marine Fisheries Service (NMFS) (''the Services'') to insure that any action authorized, funded or carried out by them (also known as ''agency actions'') are not likely to jeopardize the continued existence of any listed species or result in the destruction or adverse modification of critical habitat. Jeopardizing the continued existence of a listed species means to engage in an action that reasonably would be expected, directly or indirectly, to reduce appreciably the likelihood of both the survival and recovery of a listed species in the wild by reducing the reproduction, numbers or distribution of that species (*See* 40 CFR 402.02).

The ESA section 7 implementing regulations at 50 CFR 402 apply this consultation requirement to any action authorized by a Federal agency that may affect listed species or critical habitat, including permits. This effect, among other things, can be beneficial, detrimental, direct and indirect. The issuance of the CGP by EPA is thus subject to the ESA section 7(a)(2) consultation requirements. Finally, ESA section 7(a)(1) directs Federal agencies to use their authority to further the purposes of the ESA by carrying out programs for the conservation of listed species, and section 7(a)(4) directs Federal agencies to confer with the Services on Agency actions likely to jeopardize the existence of species proposed but not yet finally listed or result in the adverse modification of critical habitat proposed to be designated.

The ESA regulations provide for two types of consultation; formal and informal. Informal consultation is an optional process that includes discussions, correspondence, etc. between the Services and a Federal agency or a designated non-Federal representative (NFR) to determine whether a Federal action is likely to have an adverse effect on listed species or critical habitat. During informal consultation the Services may suggest modifications to the action that a Federal agency, permit applicant or non-Federal representative could implement to avoid likely adverse effects to listed species or critical habitat. If adverse effects are likely and those effects cannot be addressed through informal consultation, then formal consultation generally occurs.

Formal consultation is a 135-day process that results in issuance of a biological opinion by the Services in which they determine whether the Federal action is likely to jeopardize the existence of a listed species or result in adverse modification or destruction of critical habitat. Formal consultation can also provide authorization for anticipated incidental take of listed animal species, provided any such take is consistent with an incidental take statement contained in the biological opinion. While informal consultation is not a prerequisite to formal consultation, most section 7 consultations are carried out as informal consultations.

Federal permit applicants frequently play a key role in both formal and informal consultation. The ESA regulations provide for permit applicants, where designated, to carry out informal consultations as a NFR, which enables them to work directly with the Services (*See* 50 CFR 402.08). EPA has designated applicants for this storm water construction general permit as non-Federal representatives. The regulations also provide for the participation of permit applicants in formal consultation (*See* 50 CFR 402.14 and 51 FR 19939 [June 3, 1986]).

Also of relevance for the CGP are ESA section 10 incidental taking permits. Section 10 of the ESA allows persons, including non-Federal entities to incidentally take listed animal species, where otherwise prohibited, through the issuance of a permit after development of a habitat conservation plan (HCP). These procedures were developed to allow non-Federal entities such as developers to, among other things, alter habitat without incurring takings liability where take is minimized to the extent practicable.

*B. Conditions in the June 2, 1997 Proposed Permit to Protect Species and Critical Habitat*

The CGP was proposed with a number of conditions to ensure that storm water discharges and best management practices (BMPs) to control storm water run off were protective of listed species or critical habitat. Specifically, coverage under the proposed CGP would be granted only under the following circumstances:

1. An applicant's storm water discharges or BMPs to control storm water runoff were not likely to adversely affect listed species (identified in Addendum A of the permit) or critical habitat; or

2. The applicant's activity was previously authorized under section 7 or section 10 of the Endangered Species Act (ESA) and that authorization addressed storm water discharges and BMPs to control storm water runoff; or

3. The applicant's activity was considered as part of a larger, more comprehensive assessment of impacts on endangered and threatened species under section 7 or section 10 of the ESA which accounted for storm water discharges and BMPs to control storm water runoff; or

4. Consultation under section 7 of the ESA was conducted for the applicant's activity which resulted in either a no jeopardy opinion or a written concurrence on a finding of no likelihood of adverse effects; or

5. The applicant's activity was considered as part of a larger, more comprehensive site-specific assessment of impacts on endangered and threatened species by the owner or other operator of the site and that permittee certified eligibility under items 1., 2., 3. or 4. above.

The proposal required that applicants assess the impacts of their ''storm water discharges'' and ''BMPs to control storm water run off'' on listed species and critical habitat that are located ''in proximity'' to the those discharges and BMPs when developing Storm Water Pollution Prevention Plans (SWPPPs) as part of the application process. The proposed CGP also required applicants to include measures in SWPPPs to protect listed species and critical habitat. ''In proximity'' was defined in Addendum A to include species:

- Located in the path or immediate area through which or over which contaminated point source storm water flows from construction activities to the point of discharge into the receiving water;
- Located in the immediate vicinity of, or nearby, the point of discharge into receiving waters; or
- Located in the area of a site where storm water BMPs are planned or are to be constructed.

EPA also solicited comment on whether the area or scope of impacts to be considered by applicants should be broadened to encompass listed species found on the entire construction site and not just those species found ''in

proximity'' as currently defined in Addendum A.

Failure by permittees to abide by measures in their SWPPPs to protect species and critical habitat would invalidate permit coverage. Attached to the proposed permits were instructions (Addendum A) to assist permit applicants in making this inquiry. The proposal indicated that a county-by-county species list would be included in Addendum A of the final permit to assist applicants in determining if listed species might be ''in proximity'' to storm water discharges and BMPs. EPA did not provide a draft species list in proposed Addendum A. Instead, EPA referred commenters to a similar species list that was used for an earlier EPA-issued storm water permit, the Multisector Storm Water General Permit, that was issued on September 29, 1995 (*see* 62 FR 29792, note 12, June 2, 1997).

*C. Final CGP Conditions To Protect Listed Species*

On April 28, 1997, EPA entered into formal consultation with the Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS) (the ''Services'') for issuance of the CGP. After discussions with the Services, EPA terminated formal consultation and entered into ESA section 7 informal consultation and conferencing with the Fish and Wildlife Service (FWS) and the National Fisheries Service Services (NMFS) on June 11, 1997. On November 4, and 26, 1997, EPA completed ESA informal consultation when NMFS and FWS provided their respective concurrences with EPA's finding that issuance of the CGP was not likely to adversely affect listed species or critical habitat. Based on that consultation and in consideration of comments received on the June 2, 1997, proposal, EPA has placed the following conditions in the permit to protect listed species and critical habitat (see Part I.B.3.e). Coverage under the CGP is available only if:

a. The storm water discharges and storm water discharge-related activities are not likely to adversely affect listed species or critical habitat (Part I.B.3.e.(2)(a)); or

b. Formal or informal consultation with the Services under section 7 of the Endangered Species Act (ESA) has been concluded which addresses the effects of the applicant's storm water discharges and storm water discharge-related activities on listed species and critical habitat and the consultation results in either a no jeopardy opinion or a written concurrence by the Service(s) on a finding that the applicant's storm water discharges and storm water discharge-related activities are not likely to adversely affect listed species or critical habitat. A section 7 consultation may occur in the context of another Federal on (*e.g.*, an ESA section 7 consultation was performed for issuance of a wetlands dredge and fill permit for the project, or as part of a National Environmental Policy Act [NEPA] review); or

c. The applicant's construction activities are covered by a permit under section 10 of the ESA and that permit addresses the effects of the applicant's storm water discharges and storm water discharge-related activities on listed species and critical habitat (Part I.B.3.e.(2)(c)); or

d. The applicant's storm water discharges and storm water discharge-related activities were already addressed in another operator's certification of eligibility under Part I.B.3.e.(2)(a), (b), or (c) which included the applicant's project area. By certifying eligibility under Part I.B.3.e.(2)(d), the applicant agrees to comply with any measures or controls upon which the other operator's certification under Part I.B.3.e.(2)(a), (b) or (c) was based.

The CGP requires that applicants consider effects to listed species and critical habitat when developing SWPPPs and require that those plans include measures, as appropriate, to protect those resources. Failure by permittees to abide by measures in the SWPPPs to protect species and critical habitat may invalidate permit coverage.

Addendum A contains instructions to assist permit applicants in making this inquiry. Those instructions require that applicants ascertain: (1) If their construction activities would occur in critical habitat; (2) whether listed species are in the project area; and (3) whether the applicant's storm water discharges and discharge-related activities are likely to adversely affect listed species or critical habitat. If adverse effects are likely, then applicants would have to meet one of the eligibility requirements of Part I.B.3.e.(2)(b)–(d) (paragraphs b., c., and d. above) to receive permit coverage. ''Discharge-related activities'' include activities which cause point source storm water pollutant discharges including but not limited to excavation, site development, and other surface disturbing activities, and measures to control, reduce or prevent storm water pollution including the siting, construction and operation of BMPs. The ''project area'' includes:

1. Area(s) on the construction site where storm water discharges originate and flow towards the point of discharge into the receiving waters (this includes the entire area or areas where excavation, site development, or other ground disturbance activities occur), and the immediate vicinity;

2. Area(s) where storm water discharges flow from the construction site to the point of discharge into receiving waters;

3. Area(s) where storm water from construction activities discharges into the receiving waters and the area(s) in the immediate vicinity of the point of discharge; and

4. Area(s) where storm water BMPs will be constructed and operated, including any area(s) where storm water flows to and from BMPs.

The project area will vary with the size and structure of the construction activity, the nature and quantity of the storm water discharges, the measures (including BMPs) to control storm water runoff, and the type of receiving waters.

Addendum A also contains a list of listed and proposed species organized by State and county to assist applicants in determining if further inquiry necessary as to whether listed species are present in the project area. This list is current as of September 1, 1997, and will be updated periodically and made available on the Office of Wastewater Management's website at ''http://www.epa.gov/owm''. CGP applicants can also get updated species information for their county by calling the appropriate FWS or NMFS office. EPA Region 2 applicants[5] can also contact the EPA Region 6 and Region 2 Storm Water Hotline (1–800–245–6510) for updated species information. Applicants from other EPA Regions can contact the appropriate EPA Regional storm water office for updated species information.

The CGP also requires that applicants comply with any conditions imposed under the eligibility requirements of Part I.B.3.e.(2)a., b., c., or d. above to remain eligible for coverage under this permit. Such conditions must be incorporated in the applicant's SWPPP. The CGP does not authorize any prohibited take (as defined under section 3 of the ESA and 50 CFR 17.3) of endangered or threatened species unless such takes are authorized under sections 7 or 10 of the ESA. The CGP does not authorize any storm water discharges or storm water discharge-related activities that are likely to jeopardize the continued existence of any species that are listed or proposed to be listed as endangered or threatened

[5] Region 2 permit areas include Indian Country lands in the State of New York and the Commonwealth of Puerto Rico.

under the ESA or result in the adverse modification or destruction of habitat that is designated or proposed to be designated as critical under the ESA.

It is EPA's intention to provide permit applicants with the greatest possible flexibility in meeting permit requirements for protecting listed species and critical habitat. Thus, EPA is allowing applicants to use either section 7 or section 10 ESA mechanisms to address situations where adverse effects are likely (see Part I.B.3.e.(2)(b) and (c)). Also, to give applicants additional flexibility in meeting the Part I.B.3.e. eligibility requirements and with the timing of informal consultations, the permit automatically designates CGP applicants as non-Federal representatives for the purpose of carrying out informal consultation. However, EPA notes that meeting ESA requirements raise difficult implementation issues on how to best ensure that the permits are protective of listed species and critical habitats without unduly burdening permit applicants, permittees, and State, local, and Federal governmental entities. Thus, EPA intends in the future to review those permit conditions and procedures that relate to the ESA and the protection of historic resources to see how well that goal has been achieved and may revise the permits if necessary to better achieve that goal.

## VII. Historic Property Protection

### *A. Background*

The National Historic Preservation Act of 1966, as amended, (NHPA) establishes a national historic preservation program for the identification and protection of historic properties and resources. Under the NHPA, identification of historic properties is coordinated by the State Historic Preservation Officers (SHPOs), Tribal Historic Preservation Officers (THPOs) or other Tribal Representatives (in the absence of a THPO). Section 106 of the NHPA requires Federal agencies to take into account the effects of their actions (also known as ''Federal undertakings'' in the NHPA regulations) on historic properties that are listed or eligible for listing on the National Register of Historic Places and to seek comments from an independent reviewing agency, the Advisory Council on Historic Preservation (ACHP). The permit was proposed with a number of conditions pertaining to the consideration of historic properties. EPA has decided to not include those conditions because the ACHP and the National Conference of State Historic Preservation Officers (NCSHPO) have requested that EPA not include such conditions in the final permit at this time. The ACHP and the NCSHPO have recommended that EPA issue the permit but recommend that EPA continue working with them and Tribes regarding the possible development of a more comprehensive and efficient approach to ensure that effects to historic properties are given appropriate consideration while ensuring undue burdens are not imposed on applicants and regulatory authorities. EPA plans to continue working with the ACHP, NCSHPO and Tribes on this effort and may modify the permit to incorporate procedures regarding the protection of historic resources at a later date.

### *B. Future CGP Conditions To Protect or Consider Effects to Historic Properties*

In response to comments received on the proposal and because the Agency is still discussing historic preservation with the Advisory Council on Historic Preservation (ACHP), the final permit reserves permit requirements related to historic preservation. The permit does not currently include the eligibility restrictions and evaluation requirements from the proposed permit. After future discussions with the ACHP, EPA may modify the permit to reflect those discussions.

## VIII. Summary of Responses to Comments on the Proposed Permit

The following is a summary of EPA's response to comments received on the proposed CGP which was published in the **Federal Register** on June 2, 1997 (62 FR 29786). Due to the large number of comments received, comments and responses have been categorized and placed into 10 major categories such as ''Coverage of General Permits'' and ''Protection of Endangered Species.''

### *Coverage of General Permits*

#### Common Plan of Development or Sale

Many comments were received regarding permitting requirements for projects that are less than five acres but are part of a ''larger common plan of development or sale (''Larger Common Plan'') disturbing at least 5 acres.'' The volume and nature of the comments showed that the regulated community and the public needed additional guidance on this issue.

Under Phase I of the storm water program, an NPDES permit to discharge storm water associated with construction activity is only needed when a ''common plan of development or sale'' will disturb five or more acres. The simple case is when the ''common plan'' is to construct a single building, etc., for a single owner. The more complicated case needing clarification is when the common plan consists of several smaller construction projects that cumulatively will disturb five or more acres, but may or may not be under construction at the same time. Residential development with houses being built by several homebuilders in a master planned subdivision is an excellent example of this second case.

For illustration purposes, many examples in the explanation below assume a more complex residential development of single family homes with a developer putting in the infrastructure and common areas (*e.g.*, roads, sewers, parks, etc) and selling groups of lots to homebuilders and single lots to individuals. The same rationale used for these residential construction examples would apply to any project with multiple parts. For example, when building a new runway, the associated taxiways, and additional hangers, terminals, parking lots, etc., at an airport would be a common plan of development.

For sites disturbing less than five acres, the first steps in deciding if a permit is needed for storm water discharges associated with construction activity are determining:

1. Is there a ''common plan of development or sale'' tying individual sites together? (*e.g.*, Are the lots part of a subdivision plat filed with the local land use planning authority?) and

2. Will the total area disturbed by all of the individual sites add up to five or more acres? (*e.g.*, If you added up all of the acreage that will need to be disturbed to completely build out the subdivision as planned, would there be five or more acres disturbed?)

If the answer to both questions is no, a storm water discharge permit is not needed unless EPA determines that discharges contribute to a violation of water quality standards or are a significant contributor of pollutants to waters of the United States and specifically requests a permit application. This permit provides for coverage of such dischargers once designated.

**Note:** The disturbed acreage threshold may be less than five acres for Phase II of the storm water program. Proposed regulations for Phase II are expected December 1997 with final regulations due in March 1999.

The Larger Common Plan concept does have to be applied with some common sense and should not be taken to extremes. For example, every construction project within a city would not be considered part of a common plan of development just because the

city has a land use master plan or zoning map. EPA interprets the term more narrowly. Building a house on a vacant lot in a residential subdivision plat filed by a developer would be part of that subdivision's larger common plan of development or sale. Any earth disturbing activity necessary to complete the planned project (*e.g.*, grading lots, installation of utilities, building roads, preparing storm water control structures), plus various support activities such as exposed materials storage and equipment staging areas, are considered to be part of the construction activity that could result in a regulated discharge of storm water.

Once a residence has been completed and occupied by the homeowner (or tenant), future activities by the homeowner on their individual lot are not considered part of the original common plan of development (which was the industrial activity of building houses on each subdivided lot). After a home is occupied by the homeowner or a tenant, future construction activity on that particular lot is considered a new and distinct project and is compared to applicable disturbed acreage limits for permit applicability. For example, if homeowner decides to install a swimming pool after occupying the house, only the disturbed area on their lot—not the total acreage of the subdevelopment—is considered for determining whether a permit is needed. Likewise, demolition and reconstruction of individual houses originally built as part of a common plan of development, including those destroyed or damaged by fire or natural disasters, are also considered to be ''new'' plans of development/redevelopment, and not part of Larger Common Plan.

Once the extent of the Larger Common Plan has been determined, the total acreage to be disturbed must be calculated. A single ¼ acre lot is not large enough by itself to require a permit, but since 100 such lots in a subdivision would disturb 25 acres (if the entire area of each lot was disturbed), permit coverage is needed. Please note, permit coverage under the general permit is for all of the permittee's activities on the Larger Common Plan. Site-by-site permitting (*i.e.*, submitting a separate NOI and preparing a separate storm water pollution prevention plan for each individual lot) would negate one of the principle advantages of the general permit and is not required by EPA.

Of particular concern to many homebuilders is the issue of lots left over when the original development is substantially complete. It is EPA's position that the unbuilt lots remain part of the Larger Common Plan, but total disturbed acreage can be recalculated if: (1) All areas of the site achieve final stabilization or are turned over to a homeowner, and permit coverage is or could be terminated; and (2) the total remaining area of the Larger Common Plan is less than five acres. A permit is not necessary if the total acreage remaining to be built upon out of the Large Common Plan is less than five acres. On the other hand, if there were 22¼-acre lots left unbuilt (total 5½ acres), permit coverage would have to be obtained to build on even one of the remaining lots since the ''common plan'' would still be capable of disturbing more than five acres. Once three of these last ¼-acre lots were completed and stabilized, the total area remaining out of the original common plan with the potential to be disturbed would be only 4¾ acres.

EPA believes this approach maintains the intent of regulating projects that disturb five or more acres while applying common sense in interpreting the regulation. A common plan of development must at least be theoretically capable of having five or more acres of land disturbed at one time in order to trigger the need for a permit. Requiring that all parts of the project, including unbuilt portions of the Larger Common Plan of development, have achieved final stabilization before total disturbed acreage can be ''recalculated'' insures that there is a period of time during which all discharges of storm water associated with construction activity from the common plan of development or sale have ceased. The requirement to compare disturbed acreage to the total remaining unbuilt acreage of the Larger Common Plan protects against attempts to artifically divide a project in such a way as to avoid providing environmental controls for construction activities.

Support Activities

EPA received several comments requesting clarification on support activities eligible for, or required to obtain, permit coverage. As noted by many of these commenters, off-site areas are commonly used for storage of fill material or soil excavated from the construction site, borrow areas to obtain fill material, storage of building materials, concrete batch plants, or storage of construction equipment. Several citizens expressed concern that erosion and sediment from off-site areas used for storage or disposal of fill material were not being adequately controlled. A State highway department questioned whether a support base used for several nearby roadway projects would be eligible for coverage.

EPA agrees that where activities at off-site locations would not exist without the construction project, discharges of pollutants in storm water from these areas must be controlled. Changes have been made to part I.B. of the permit to clarify the permit and allow coverage for sites used by an operator to support several nearby projects. It remains the responsibility of the operator of the support area to assure permit coverage is obtained.

Off-site storage areas, support bases, disposal areas and borrow areas used for a construction project are considered to be part of the Larger Common Plan and must be addressed by the pollution prevention plan in certain instances. The pollution prevention plan for the construction project must include controls for all off-site areas directly supporting the construction project, unless the offsite location is a fixed base of operations (*e.g.* construction company's home office, warehouse, commerical warehouse, landfill, equipment yard, etc. used for all construction projects) or can be considered a stand-alone industrial or commercial activity serving multiple customers. Allowing such off-site locations to be permitted under the construction permit for the construction site avoids the need for a separate permit for the remote location.

Where the same operator uses a temporary off-site location to support construction activities at several nearby locations, permit coverage may be obtained by identifying the site and including controls for this common site in at least one of the pollution prevention plans for the individual construction projects. For example, a common support area for three highway projects could be permitted by identifying the site, including appropriate controls in at least one of the three pollution prevention plans for the separate projects, and insuring that an NOT is not submitted until the support area is finally stabilized.

Non-Storm Water

Several comments were received about the permit's authorization of non-storm water discharges. In response, this permit only authorizes the discharge of non-storm waters listed in Part III.A.3, and only when such discharges are identified in the storm water pollution prevention plan and appropriate controls are included. During the construction process, non-storm waters listed in Part III.A.3 are authorized for discharge either alone or when commingled with storm water. The

Agency also notes that EPA can request individual permit applications for such discharges where appropriate. The Agency is not requiring that flows from fire-fighting activities be identified in plans because of the emergency nature of such discharges and because of the unpredictability of their occurrence.

EPA would also like to clarify certain questions which were raised regarding the list of non-storm water discharges that are authorized. For example, operators were unclear whether dewatering of trenches is authorized under the permit. In response, EPA believes that discharges associated with the dewatering of trenches is the same type of water contemplated by the term ''ground water dewatering.'' As such, EPA believes that this discharge would be authorized by the permit. Operators also asked whether discharges associated with dust control are authorized. In response, EPA would note that this discharge is specifically authorized by the permit.

Several commenters asked whether detergents would be allowed in discharges resulting from washing vehicles. In response to this issue, EPA believes that detergents should not be necessary to remove sediment from trucks which would be the primary purpose for washing vehicles at the construction site. The final permit was clarified to specify that truck wash water would only be allowed if detergents were not included in the discharge.

Wetlands

One commenter requested clarification between the section 402 NPDES and section 404 Dredge and Fill permitting programs. The NPDES and section 404 programs are implemented by EPA and the Department of the Army, respectively. Activities which involve the discharge of dredged or fill material into wetlands are regulated under section 404 of the CWA, which requires a permit from the Corps. However, construction activities (*i.e.*, clearing grading, and excavation) that result in storm water discharge into wetlands are regulated under the NPDES program and require a permit from EPA.

Several commenters expressed concern over the loss or degradation of wetlands and how their protection could be addressed in the construction general permit. Another commenter raised concern regarding the draining of wetlands and its adverse effect on fisheries under statistically expected drought conditions. EPA recognizes the commenters' concerns about construction activity impacts to wetlands. Because impacts to wetlands from dredged and fill material are already established and enforced under section 404 of the CWA, EPA is not incorporating any further language in today's permit regarding such requirements.

One commenter raised concerns about wetlands in proximity to the construction activity, which may receive drainage from the site. The commenter was concerned that such areas be considered under the general permit requirements. In response, EPA agrees to change the wording in Part IV.D.1.g. of the permit language from ''areal extent of wetlands acreage at the site'' to ''an areal extent and description of acreage of wetland or other special aquatic sites (*i.e.*, 40 CFR 230.3(q–1)) at or near the site which will be disturbed, or receive water discharged from the disturbed areas of the site.'' EPA believes this language will help clarify this requirement in the site description of the storm water pollution prevention plan.

One commenter noted that a certain amount of sediment may be necessary to maintain the natural functioning of a wetland. The commenter expressed concern that under some circumstances, a construction project may result in decreases in the sediment load to a wetland. In response, EPA would note that the NPDES program requires permits for the discharge of pollutants from any point source into waters of the United States. By definition, wetlands are waters of the United States. As such, EPA must ensure that the discharges authorized by this permit comply with applicable water quality standards for the wetland, including requirements for sediment.

One commenter requested clarification on jurisdictional wetland areas coverage under today's permits. For the purposes of the CWA, wetlands are defined as areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions (33 CFR 328.3(b)). EPA uses the 1987 Corps of Engineers Wetlands Delineation Manual to identify and delineate wetlands. This document establishes the specific technical criteria that must be satisfied for an area to be considered a jurisdictional wetland. Therefore, storm water discharges from a construction activity to jurisdictional wetlands (*i.e.*, waters of the U.S.) need permit authorization and may be covered under today's permit.

Other commenters expressed concern regarding the effects on wetlands of the development of land for agricultural purposes. EPA would first point out that agricultural runoff is exempt from the NPDES permit program (See 40 CFR 122.3, CWA section 502 (14)). In addition, the development of land for agriculture is not considered a construction project regulated by the NPDES permit program.

Residential Construction

Many contractors and developers involved in residential development felt that the permit was geared towards large industrial facilities, and therefore not well suited to address small residential construction. These commenters generally either requested that residential construction be exempt from permitting, or that special consideration of the nature of residential construction be given in the permit.

There is no regulatory provision to exempt any construction activities based solely on the nature of what is being built. The disturbance of five or more acres in a Larger Common Plan defines industrial activity that requires a storm water discharge permit. The impact on water quality is not necessarily reduced because the construction project is residential and may, in some instances, proceed in a more piecemeal fashion. However, the Agency recognizes that there are certain differences in how residential development occurs, particularly with regard to completion of individual homes and occupation by either a homeowner or tenant. EPA has made several changes and clarifications of permit requirements to address the concerns of the residential development industry.

The definition of final stabilization has been changed. ''Final Stabilization'' in the final permit means either: (1) All soil disturbing activities at the site have been completed, and that a uniform (*e.g.*, evenly distributed, without large bare areas) perennial vegetative cover with a density of 70% of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed. In some parts of the country, background native vegetation will cover less than 100% of the ground (*e.g.* arid areas). Establishing at least 70% of the natural cover of native vegetation meets the vegetative cover criteria for final stabilization. For example, if the native vegetation covers 50% of the ground,

70% of 50% would require 35% total cover for final stabilization; or (2) for individual lots in residential construction by either: (a) the homebuilder completing final stabilization as specified above, or (b) the homebuilder establishing temporary stabilization (including perimeter controls) for an individual lot prior to occupation of the home by the homeowner and informing the homeowner of the need for and benefits of final stabilization. EPA strongly recommends that homeowners stabilize as soon as practicable. (Homeowners have a personal incentive to put in landscaping functionally equivalent to final stabilization as quick as possible to keep mud out of their house and off their sidewalks and driveway.)

Installation of Utility Service Lines

The proposed permit attempted to more clearly define the role of utility companies whose sole involvement in a construction project was installation of utility service lines. Many utility companies challenged EPA's assertion that they represented a special class of operator at construction sites and pointed out potential financial and project delay impacts of requiring utility companies to obtain permit coverage before installing utility service lines at a project. Other commenters felt that utility companies should be held accountable for their actions on-site and for disturbing any storm water control measures installed by other site operators. In general, utility companies agreed that they are responsible for their actions on-site, but did not believe they should be considered ''operators'' and required to obtain permit coverage. Several commenters felt utility companies should be treated as subcontractors and the party requesting utility service should be the permittee.

In response, EPA agrees that in many areas utility companies will not meet the definition of operator while installing utility service lines (the draft permit implied that a utility company would always be an operator when installing utility service lines). As with any other party involved in a construction project, permit coverage will only be required for utility companies when they met the definition of ''operator.'' The definition of operator in the final permit, though changed slightly from the proposed permit for better clarity, applies to parties at a construction project which meet either of the following two criteria: (1) A party with operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or (2) a party with day-to-day operational control of those activities at a project which are necessary to ensure compliance with a storm water pollution prevention plan (SWPPP) for the site or other permit conditions (*e.g.*, they are authorized to direct workers at the site to carry out activities required by the storm water pollution prevention plan or comply with other permit conditions). To determine if a utility company meets either criterion, a review of the word ''control'' with regard to construction plans and specifications and day-to-day operations is needed.

In the definition of ''operator,'' it is not EPA's intention to include those parties whose function is to assure that a project complies with previously established standards (*e.g.*, national, state or municipal). For example, design or installation standards set by municipalities or utilities which are based on national standards such as the National Electric Code does not give the municipality or utility ''control'' over a construction project's plans and specifications, but instead directs or limits a project operator's latitude when drafting or modifying a particular aspect of the project's plans and specifications. Furthermore, reviewing or applying such standards (*e.g.*, residential electric lines must be capable of carrying a specific voltage, made of certain materials, buried a certain depth) does not make a utility or municipality meet the first criterion of the definition of ''operator.'' Also, utility companies will often not meet the second criterion of the definition because they are not responsible for overall SWPPP compliance at a project. Typically, a project's general contractor has overall responsibility for SWPPP implementation and compliance.

To the extent that a utility company needs to develop its own site-specific plans and specifications for a service installation at a project requiring storm water permit coverage, the utility will be considered to meet the definition of ''operator'' and must allow for appropriate storm water control measures either by designing and implementing controls themselves, or by assuring that another project operator has designed and will implement storm water controls for the area disturbed by the utility service installation. In all cases, to ensure effective implementation of storm water pollution control measures, EPA stresses the importance of cooperative efforts by all parties involved at a construction site, including those not meeting the definition of ''operator,'' to understand and abide by SWPPP provisions which their activities will impact.

Other examples of where a service line installation would require construction storm water permit coverage would be if the activity disturbed five or more acres (40 CFR 122.26(b)(14)(x)), or was designated by the Director to obtain coverage for another reason (40 CFR 122.26(a)(1)(v), 122.26(a)(9) or 122.26(g)(1)(i)). See Part I.B.1. of the permit for further details on eligibility. Other utility company activities, such as the installation of main transmission lines, should likewise be reviewed to see if permit coverage is required.

After considering the comments from the utility companies, the proposed area-wide NOI option and SWPPP certification statement for utility companies in the proposed permit were deleted in the final permit. Utility companies were generally uncomfortable with even the limited requirements of the area-wide NOI since the actual construction projects where they would be working would not be known at the time of the NOI submittal. The certification statement is no longer necessary since measures to address utility service line installations no longer require the statement to assign responsibility from the utility company to another project operator. In addition, based on the comments from the utility companies, the frequency of the situations in which a utility would be considered an operator may be significantly less than EPA had thought. Hence, there may not be a pressing need for the proposed streamlined permitting option.

Construction in Cold Climates

Several comments were received suggesting changes to the construction general permit to accommodate cold weather oil and gas issues or questioning the effectiveness and requirement for storm water pollution prevention plans for North Slope oil and gas facilities in Alaska. Specifically, commenters were questioning the need for, and appropriateness of, the permit for gravel pad construction on the North Slope during frozen conditions. It was stated that construction activities only occur during the cold months because access is facilitated by frozen permafrost conditions. When the North Slope is in a thawing condition it is essentially a wetland, which makes overland access activities difficult as well as very disruptive to the ecology. Commenters expressed concern that gravel pads might be required to establish 70% vegetative cover prior to submitting the NOT.

With regards to the need for a storm water discharge permit, EPA points out that the definition of storm water at 40 CFR 122.26(b)(13) includes snow melt runoff. As such, EPA believes that construction which occurs during frozen conditions still needs a storm water permit since the snow will eventually melt and be discharged.

Construction activity which involves depositing gravel fill directly into wetlands is regulated under section 404 of the CWA which is administered by the US Army Corps of Engineers (COE). COE section 404 permits all require CWA section 401 certification providing assurance that if the construction activity is in compliance with the COE 404 permit, there will be no water quality standard violations.

Once the gravel pads are constructed, it is reasonable to consider them as permanent structures since their surface will be used to conduct oil and gas activities. Therefore remediation of the pad itself (70% restoration of vegetative cover) is not appropriate at the end of the construction sequence. Storm water permitting may be required, however, for the operational phase of the pad activities as well as gravel extraction activities.

Other comments regarding cold weather issues in Alaska pertained to the remoteness of sites that would need to be permitted and inspected. Commenters were concerned that accessing such remote sites is not easily accomplished, and overly burdensome. In response, EPA has included a special provision in Part IV.D.4 of the final permit to provide a waiver of the inspection requirements when the ground would be expected to be frozen for an extended period of time. Inspections would be required to begin one month prior to when thawing conditions are expected to begin.

Compliance With Water Quality Standards

Several comments objected to the inclusion of permit eligibility and discharge compliance requirements related to water quality standards (WQS). EPA is obligated under CWA section 402(p)(3) to ensure that all permits for discharges associated with industrial activity (which includes storm water discharges from construction sites of five acres or more) shall meet all applicable provisions of CWA section 301.

CWA section 301(a) states that discharges shall be unlawful unless in compliance with sections 301, 302, 306, 307, 318, 402, and 404 of the Act. Section 301 provides that discharge permits must include effluent limitations necessary to assure that discharges comply with State or Tribal WQS. Effluent limitations do not have to be numeric, especially in cases where numeric limitations are currently infeasible. In such cases, EPA may require the use of best mangement practices (BMPs) including more sophisticated forms of treatment in permits to satisfy the CWA's requirements for ''any more stringent limitations as necessary to meet State WQS.'

If a discharge is found to be violating a water quality standard, EPA can require that the discharge be covered by an individual permit, which may include more stringent controls or numeric effluent limitations developed to ensure compliance with WQS. The development of the effluent limitations would be dependent upon adequate characterization of the discharges and the individual permit could also include monitoring requirements.

Some commenters were concerned that compliance with WQS is not possible in some situations and therefore WQS compliance should be waived. As stated above, compliance with water quality standards is a requirement of the CWA as implemented through the NPDES permitting program. EPA can not waive the requirements of the CWA. If the permittee feels that the WQS to which they must comply are too stringent or the cost of that compliance is too high, several avenues of relief can be sought. The permittee may seek changes of WQS through a use attainability analysis, the development of site specific criteria, or short term WQS variances. All of these avenues must be pursued through consultation with the applicable State or Tribal environmental agency and are subject to EPA review.

If the permittee is not able to comply with WQS as a result of the implementation of a certain set of BMPs, EPA recommends installing more effective BMPs or additional BMPs to assure compliance with WQS. If this effort results in discharges which continue to violate WQS, EPA recommends that the facility cease discharging, apply for an individual permit, or pursue one of the options listed above to change the WQS. (See also EPA's memorandum of August 1, 1996, entitled ''Interim Permitting Approach for Water Quality-Based Effluent Limitations for Storm Water Discharges.'')

EPA received several comments regarding salt intrusion to groundwater discharges that might exceed standards established by the State. One commenter suggested that the final permit include an affirmative statement to specify that, in developing and implementing storm water pollution prevention plans, permittees are not required to remove remove constituents that are not added by the construction project or related activities. In response, EPA notes that Clean Water Act section 301(b)(1)(C) requires that NPDES permits include any more stringent limitation including those necessary to meet water quality standards. The CWA does not, however, regulate releases of polluants to groundwater unless there is a direct hydrological connection between a point source and surface waters of the United States through such groundwater. Therefore, the commenter's recommendations were not included in the final permit.

The California Department of Transportation recommended that the general permit incorporate language similar to that developed by the State by California for its general industrial storm water permit. However, EPA has recently expressed concerns to the State regarding the language in question and is currently working with all stakeholders in California on alternative language. Since EPA believes that the language as written is not appropriate it was not incorporated into the final permit.

Another commenter contended that Part III.D of the draft permit (compliance with water quality standards) was too weak. The commenter recommended that the permit also require remedial actions by permittees to correct any damage that may result from the discharges not in compliance with the permit.

EPA disagrees with the commenter that the language addressing water quality standards compliance needs to be strengthened. A wide variety of enforcement responses are available to the Agency for discharges which violate the terms of the permit, including requirements for remediation of environmental damage caused by the discharges. As such, the requested modifications were not incorporated into the final permit.

*Protection of Endangered Species*

A large number of comments were received regarding provisions in the permit to protect listed species and critical habitats. For reading convenience, similar comments have been grouped together for response and are listed below in items A through V.

(A) A number of commenters have expressed the belief that the Clean Water Act (CWA) does not allow EPA to place conditions in National Pollutant Discharge Elimination System (NPDES)

permits to protect listed species and critical habitat. They believe that requirements to protect listed species have no relation to the CWA's goal of protecting water quality. These commenters have requested that EPA remove those permit conditions or provide a legal justification as to why they should be included.

EPA declines to remove these provisions because the Agency believes that conditions to protect listed species and critical habitat are appropriate for Federally-issued NPDES permits such as the CGP given the requirements placed on them by sections 7(a)(1), 7(a)(2), and 9 of the ESA. By placing ESA requirements on Federal agencies and their actions, Congress intended that Federal permits could contain conditions to protect listed species and critical habitat. ESA regulations at 50 CFR 402.02 define an ''action'' subject to section 7 to include ''permits,'' and EPA first recognized the applicability of ESA section 7 to the Federal NPDES program in 1979, when it promulgated regulations listing the ESA as a Federal law which may apply to EPA-issued permits. *See* 44 CFR 32917 (June 7, 1979). EPA's current regulations at 40 CFR 122.49(c)[6] and 122.43(a)[7] require that EPA adopt or consider the adoption of permit conditions to comply with ESA requirements.

Finally, EPA notes that the primary goal of the CWA is the restoration and maintenance of the chemical, physical, and biological integrity of the Nation's waters. This includes the attainment of water quality that provides for the protection and propagation of fish, shellfish, wildlife. See 33 U.S.C. 1251. These goals include the protection of listed and other at-risk species.

(B) Other commenters have characterized the ESA as a new environmental law that permit applicants are being required to certify under. EPA does not believe that the ESA is a new environmental law because it has been listed in EPA's regulations since 1979 as a statute which may apply to the issuance of NPDES permits by EPA.

(C) Some commenters have objected to measures to protect species and critical habitat in the proposed permit as an impermissible delegation of EPA's section 7 consultation responsibilities to the permit applicant.

EPA recognizes that as the action Federal agency, it bears the ultimate responsibility for compliance with section 7 of the ESA for issuance of the CGP. It is not abrogating that responsibility. However, given the CGP's potential coverage of over 13,000 construction activities per year that are scattered across eight States and numerous other Federal permitting jurisdictions, it is essential that permit applicants and permittees consider the effects of their particular actions on listed species and critical habitat, and to take measures to protect those resources, if EPA is to ensure that issuance and operation of the CGP is not likely to adversely affect listed species and critical habitat.

As noted above, EPA believes that under the CWA and the ESA, it is appropriate for NPDES permits to require that applicants and permittees take measures to protect listed species. EPA also believes that such conditions should require that applicants consider the potential and actual effects of their actions on listed species and critical habitat. Storm water general permits place substantial responsibilities on permit applicants and permittees to ensure that their storm water discharges are protective of the environment. This includes the development of information (as part of the NOI and SWPPP development process) to ensure compliance with permit requirements. The ESA regulations clearly allow for permit applicants to develop and collect information on the effects of their proposed actions on listed species and critical habitat.[8] Those regulations also provide that applicants can conduct informal consultation as non-Federal Representatives (NFRs). *see* 50 CFR 402.08.

The conditions being established by EPA through ESA section 7 consultation to protect listed species and critical habitat are designed to focus EPA, Fish and Wildlife Service (FWS), and National Marine Fisheries Service (NMFS) resources on those permitted activities that merit a site-specific ESA section 7 consultation or section 10 permit. Where a site-specific section 7 consultation is appropriate, the CGP allows for either informal consultation (with the applicant having NFR status) or for formal consultation. EPA is prepared to conduct site-specific consultations where necessary to ensure that permitted activities are protective of listed species. However, given the large number of expected applicants and limits on EPA's resources, it is faster and more efficient for the bulk of these consultations to be carried out as informal consultations with permit applicants as non-Federal representatives.

Finally, EPA notes that it has completed section 7 consultation and conferencing for issuance and operation of the CGP and that the FWS and the NMFS (the ''Services'') have concurred with the approach taken in the permits and with EPA's finding that the issuance and operation of the CGP is not likely to result in adverse effects to listed species and critical habitat.

(D) Some commenters have also noted that shifting the burden for carrying out consultation will result in administrative difficulties for the Services. EPA coordinated development of the CGP with the Services and notes that the CGP conditions are designed to reduce the number of site specific consultations to those actions where adverse effects may be likely. However, it is possible that a large number of site-specific consultations will be performed for activities covered by the CGP.

(E) A number of commenters were concerned that these conditions will be difficult to comply with. Specifically, commenters were concerned that information on listed species and critical habitat will be hard to obtain. They have asked that EPA make species lists, critical habitat, and other information readily available to the public. Some commenters have asked that this information be placed in the permit or on the Internet. They have noted that many permit applicants will not know how to comply with these requirements. Some commenters have also requested that EPA ensure that any ESA guidance remain in the final permit document.

EPA has worked closely with the Services to give the greatest flexibility to permittees in complying with

[6] The pertinent portions of 40 CFR 122.49 read as follows: Considerations under Federal law. The following is a list of Federal laws that may apply to the issuance of permits under these rules. When any of these laws is applicable, its procedures must be followed. *When the applicable law requires consideration or adoption of particular permit conditions or requires the denial of a permit, those requirements also must be followed.* * * * (c) The Endangered Species Act, 16 U.S.C. 1531 *et seq.* section 7 of the Act and implementing regulations (50 CFR part 402) require the Regional Administrator to ensure, in consultation with the Secretary of the Interior or Commerce, that any action authorized by EPA is not likely to jeopardize the continued existence of any endangered or threatened species or adversely affect its critical habitat. (Emphasis added).

[7] 40 CFR 122.43(a) states: ''In addition to conditions required in all permits (122.41 and 122.42), the Director shall establish *conditions*, as required on a case-by-case basis, to provide for and assure compliance with all applicable requirements of CWA and regulations. These shall include conditions under 122.46 (duration of permits), 122.47(a) (schedules of compliance), 122.48 (monitoring), and for EPA permits only 122.47(b) (alternates schedule of compliance) and *122.49 (considerations under Federal law).*'' (Emphasis added.)

[8] Applicants are listed throughout the ESA consultation regulations and preambles as involved parties in the consultation process.

requirements to protect listed species and critical habitat. While EPA realizes that fulfilling some CGP requirements to protect listed species and critical habitat may seem difficult to some applicants, the procedures to meet those requirements are similar to those already undertaken by many developers and contractors to obtain ESA section 10 permits for protection from incidental takes liability. As noted above, the CGP allows applicants to use section 10 permits to meet permit eligibility requirements.

There is much information on listed species and designated critical habitat that is publicly available. Lists of endangered and threatened species are published by the Fish and Wildlife Service and the National Marine Fisheries Service and can be found in 50 CFR 17 of the Code of Federal Regulations (CFRs). The CFRs are widely available and can be found in many libraries or law libraries. Copies of the CFRs can also be ordered from the Government Printing Office which maintains a number of book stores throughout the country [9] or they can be accessed for free at the GPO Website (http://www.access.gpo.gov/nara/cfr/index.htm).

The Services also maintain electronic copies of these lists at their respective World Wide Web sites. Lists of species under the FWS jurisdiction can be accessed at the Endangered Species Home Page (http://www.fws.gov/~r9endspp/endspp.html) (which is also attached to the FWS Home Page (http://www.fws.gov) in the ''Nationwide Activities Category''). Lists of species under NMFS jurisdiction can be found on the NMFS Homepage (http://www.nmfs.gov) under the ''Protected Resources Program.'' Lists and maps of critical habitat can be found in the Code of Federal Regulations at 50 CFR 17 and 226.

Also, information on listed species and critical habitat can also be obtained by contacting the FWS and NMFS offices or by contacting the Biodiversity Heritage Centers of the Natural Heritage Network. The FWS has offices in every State. NMFS has offices in certain States. A list of NMFS and FWS office addresses is provided in Addendum A of the permit. The Natural Heritage Network comprises 85 biodiversity data centers throughout the Western Hemisphere.

These centers collect, organize, and share data relating to endangered and threatened species and habitat. The network was developed to promote informed land-use decisions by developers, corporations, conservationists, and government agencies, and is also consulted for research and educational purposes. The centers maintain a Natural Heritage Network Control Server Website (http://www.heritage.tnc.org) which provides website and other access to a large number of specific biodiversity centers. A list of biodiversity center addresses is provided in Addendum A of the CGP.

Addendum A also contains a list by county of all species in areas covered by the CGP that are listed as endangered and threatened (''listed species'') or proposed for listing as endangered and threatened (''proposed species'). This list is current as of September 1, 1997. Because the status of species and counties will change over time, EPA will periodically update the county list and make it electronically available on the EPA's website. CGP applicants can get updated species information for their county by calling the appropriate Fish and Wildlife Service office or National Marine Fisheries Service office. EPA Region 2 applicants [10] can also contact the EPA Region 6 and Region 2 Storm Water Hotline (1–800–245–6510) for updated species information. Applicants from other EPA Regions can contact the appropriate EPA Regional Office for updated species information.

Finally, EPA has worked with the Services to expand Addendum A to provide more guidance on how meet the permit eligibility requirements and to protect listed species. There are also a number of guidance documents produced by the Fish and Wildlife Service and the National Marine Fisheries Service to assist the public in meeting ESA requirements. Many of those documents are electronically available on the Services'' Internet sites.

(F) Some commenters have requested that EPA publicly notice any species to be included in the final county species list that were not found in the Addendum H of the Multi-Sector General Permit issued on September 29, 1995 (60 FR 50804). EPA declines to take this action because it believes sufficient public notice was provided in the proposal when EPA referred reviewers to the Multi-Sector General Permit's Addendum H list (62 FR 29791, footnote #12 (June 2, 1997)), which contains similar species on a county basis to that contained in Addendum A of the CGP. Furthermore, EPA notes that all of the proposed and listed species found on both Addendum A of the CGP and Addendum H of the Multi-Sector General Permit already have undergone public notice as part of the ESA listing process.

(G) Some commenters have noted that the Addendum A species list may not remain current in light of new species listings. As noted above, EPA is planning to provide regular updates of the list and to make it available to permit applicants.

(H) Commenters have also expressed concerns with the timing of this process. They have noted that once a project has reached the construction stage, there is not enough time to take action to protect listed species. EPA encourages permit applicants to analyze effects to listed species and critical habitat at the earliest possible stage. EPA has required applicants to analyze impacts to species when developing storm water pollution prevention plans (SWPPPs) prior to submitting NOIs. However, applicants may choose to conduct this review at an even earlier time. Any conditions to protect species and critical habitat must be incorporated into the SWPPP.

(I) EPA solicited comments on whether the scope of effects to listed species and critical habitat to be considered by permit applicants should encompass the entire construction site. A number of commenters supported this expansion. Some commenters did not think there was anything to be gained by broadening the scope of the area to include the entire site. Other commenters did not believe that storm water regulation extended to land areas unaffected by either storm water discharges or best management practices (BMPs).

EPA has revised its permit conditions and Addendum A instructions to require that permit applicants consider the effects of ''storm water discharges and storm water discharge-related activities'' on listed endangered and threatened species and critical habitat within the ''project area.'' The terms ''storm water discharge and storm water discharge-related activities'' replaces the terms ''storm water discharges and construction and implementation of best management practices'' used in the proposal. ''Discharge-related activities'' include (1) activities which cause point source storm water pollutant discharges including but not limited to excavation, site development, and other surface disturbing activities, and (2) measures to

[9] GPO bookstores are located in Atlanta, GA; Birmingham, AL; Boston, MA; Chicago IL; Cleveland, OH; Columbus, OH; Dallas, TX; Denver, CO; Detroit MI; Houston TX; Jacksonville, FL; Kansas City, MO; Laurel, MD; Los Angeles, CA; Milwaukee, WI; New York, NY; Philadelphia, PA; Pittsburgh, PA; Portland, OR; Pueblo, CO; San Francisco, CA; Seattle, WA; and Washington, DC.

[10] Region 2 permit areas include Indian Country lands in the State of New York and the Commonwealth of Puerto Rico.

control, reduce, or prevent storm water pollution including the siting, construction, and operation of BMPs. This revision expands the scope of effects that should be considered for listed species when compared to the proposed permit. The term ''project area'' now replaces the proposed term, ''in proximity to.'' The ''project area'' includes: areas on the construction site where storm water discharges originate and flow towards the point of discharge into the receiving waters (this includes all areas where excavation, site development, or other ground disturbance activities occur), and the immediate vicinity; areas where storm water discharges flow from the construction site to the point of discharge into receiving waters; areas where storm water from construction activities discharges into the receiving waters; areas in the immediate vicinity of the point of discharge; and areas where storm water BMPs will be constructed and operated, including any areas where storm water flows to and from BMPs.

EPA anticipates that the project area will vary from site-to-site depending on the size and structure of the construction activity, the nature and quantity of the storm water discharges, the measures (including BMPs) to control storm water runoff, and the type of receiving waters. In many cases, the project area will encompass an entire construction site. However, there could be situations where project area may encompass a portion of the site (for example, where the actual construction disturbs only a portion of a land development project). EPA believes the revised scope of the permit is more consistent with the definitions of ''effect'' and ''action area'' found in the ESA regulations and affords better protection for listed species and critical habitat while ensuring that CGP storm water controls are not extended into areas that bear no relation to the discharge of polluted storm water.

Some commenters believe the scope of effects of the permit is too narrow. In particular, they believe that the scope should encompass areas farther downstream than what was proposed in the permit, which directed permit applicants to consider effects to listed species and critical habitat in the immediate vicinity or nearby the point of discharge. EPA declines to expand this scope beyond what was proposed because the proposed (defining ''in proximity'') and final permit language (defining ''project area'') allow for a flexible determination of effects which can extend further downstream depending on the circumstances surrounding each discharge. Those circumstances vary with the size and structure of the construction activity, the nature and quantity of the storm water discharges, the measures (including BMPs) to control storm water runoff, and the type of receiving waters. Also, the CGP does not authorize any discharges that would cause or contribute to a violation of water quality standards. Water quality standards are designed to be protective of use of the water, including aquatic life and consequently, listed species. Moreover, under the CWA, any discharge must not only ensure compliance with the water quality standards of the water where the discharge is located, but also any downstream water quality standards. Thus, the scope of the inquiry under this permit is not so narrow as this commenter suggests. EPA believes that any downstream water quality impacts associated with discharges of stormwater under this permit will be adequately accounted for.

Commenters have also requested that EPA consider or require that applicants consider effects to listed species from storm water contamination that enters into groundwater which then enters into surface waters where those species are found.

EPA believes it is providing for the consideration of effects from discharges to hydrologically connected groundwater. EPA interprets the CWA's NPDES permitting program to regulate discharges to surface water via groundwater where there is a direct and immediate hydrologic connection (''hydrologically connected'') between the groundwater and the surface water. However, EPA also believes that this use of NPDES permits is highly dependent on the facts surrounding each permitting situation. CGP coverage can extend to discharges to surface water via hydrologically connected groundwater and CGP applicants, like any other NPDES applicant, should consider those types of discharges when applying for permit coverage. However, these discharges may at times be better suited for individual permits, and EPA may require that applicants obtain an individual permits as provided at Part VI.L. of the CGP and in 40 CFR 122.28(b)(3) of EPA's general permit regulations. Permit applicants and the interested people can also petition EPA under those provisions to require coverage by an individual permit.

(J) A number of commenters have questioned why there is a need to have specific conditions in the permit to protect listed species and critical habitat when there are other laws or procedures which accomplish the same goal. Some commenters have noted that ESA section 10 procedures are already used by developers and that requiring additional procedures in the CGP to protect species amounts to ''double regulation.''

EPA intends to provide applicants with the greatest degree of flexibility in meeting the Part I.B.3.e.(2) eligibility requirements for CGP coverage. The permit allows applicants to use section 10 procedures to meet the eligibility requirements of Part I.B.3.e.(2). As such, EPA is not imposing ''double regulations'' on permittees.

Other commenters have also questioned whether there is a need to have these procedures where a 404 permit is being issued or where a NEPA review is being conducted for the same site. EPA notes that a 404 permit or a NEPA review can suffice for CGP coverage under part I.B.3.(e)(2)(b), provided, a section 7 consultation has been performed as part of the NEPA review or 404 permit issuance and the consultation addresses effects from storm water discharges and storm water discharge-related activities.

One commenter noted that some States have protective and stringent environmental review laws which apply to NPDES permits and there is no reason for applicants in those States to undertake additional requirements to protect listed species and critical habitat. EPA notes that while the information developed for compliance with State environmental review statutes can be used to meet the eligibility requirements of Part I.B.3.e.(2)(a) for CGP coverage where there are no listed species present or where there is no likelihood of adverse effects to listed species, EPA does not believe that compliance with a State environmental review by itself is sufficient to substitute for section 7 consultation or a section 10 permit since State reviews may not take Federally listed species and critical habitat into account. However, information generated from a State environmental review can also serve as a basis for a section 7 consultation or applying for a section 10 permit for the purposes of meeting the eligibility requirements of Part I.B.3.e.(2)(b) or (c).

(K) Some commenters have asked for clarification on whether EPA is requiring permit applicants to address State and Federally listed endangered and threatened species or solely Federally listed species. One commenter recommended that applicants should be made aware that State laws and regulations involving endangered species may impact their projects. EPA is requiring that permit applicants

consider impacts to Federally listed species and designated critical habitat. However, EPA notes that States have the authority to impose their own requirements under State law to protect Federally or State protected species from construction activities, and that Part VI.M. of the CGP states that coverage by the permit does not release any permittee from meeting the responsibilities or requirements imposed under other environmental statutes or regulations. Those environmental statutes and regulations include State laws for the protection of imperiled wildlife and vegetation, and other natural resources.

(L) One commenter has characterized the CGP conditions as allowing any discharge unless it is likely to adversely affect a listed species of critical habitat. It expressed the belief that this is not the correct standard to use when determining coverage under a general permit which is meant for routine cases.

EPA notes, however, this standard will ensure that the operation of the permit is not likely to adversely affect listed species and critical habitat. This approach, which was subject to ESA section 7 consultation with the Services, will focus limited EPA and Service resources on those permitting situations where potential adverse effects are likely. This is important given the vast number of activities projected to be covered by the CGP. Thus, EPA believes this standard to be appropriate for the CGP.

(M) Some commenters have expressed the belief that hydrologically, geologically, or environmentally unique areas such as the Barton Springs watershed near Austin, Texas, require special protections for listed species and critical habitat. They have requested that either separate, more stringent general permits be developed for these areas or that EPA require individual permits for construction activities occurring there. One commenter has also requested that a separate consultation be conducted for the Barton Springs segment of the Edwards Aquifer.

EPA believes that the final CGP conditions provide stringent protection for the environment and listed species. EPA closely coordinated with the Services on which ESA section 7 approach was best suited for EPA's issuance of the CGP. EPA and the Services agreed that a national ESA section 7 consultation coupled with permit conditions to allow for individual site-specific consultations is the best mechanism to assure that the CGP is protective of listed species and the environment.

The Agency believes that the general permit as issued insures that any area with special site-specific circumstances will be protected. No discharge may be authorized under this permit that will adversely affect any listed species, unless those effects have been actually addressed through an ESA section 7 consultation process or section 10 permit issuance that takes into account the impact on the particular species of concern. Therefore, EPA believes that the process envisioned by this general permit effectively provides for consideration of site-specific issues that are of concern to this commenter.

(N) One commenter has questioned whether EPA complied with the ESA section 7 conferencing requirements to confer with the Services where an agency action is likely to jeopardize the continued existence of any proposed species or result in the destruction or adverse modification of proposed critical habitat. In response, the CGP does not authorize any storm water discharges or storm water discharge-related activities that are likely to jeopardize the continued existence of any proposed species or result in the adverse modification or destruction of proposed critical habitat. Nonetheless, EPA entered into and completed ESA section 7 conferencing with the Services at the same time it undertook informal consultation.

(O) Several commenters have asked for clarification on the extent of their liability if they rely on another operator's certification with respect to effects to listed species and critical habitat if that certification proves to be inadequate or contains falsehoods. Also, utility operators have raised the issue as to the nature and extent of their liability where their certification is based on another operator's certification.

Applicants/permittees who rely on another operator's certification to meet the eligibility requirements of the permit may be liable for inadequacies or falsehoods in that certification. This potential liability is well described in the certification language of the NOI form which states:

> I [the applicant] certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage this system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Thus, it is important for those applicants who choose to rely on another operator's certification that they carefully review that certification and its SWPPP for accuracy and completeness. If the certification appears to be inadequate in any way, then EPA recommends that an applicant provide an independent basis for its certification in its SWPPP. EPA notes that as a matter of enforcement discretion it will consider the circumstances that are unique to each enforcement situation, and an applicant's good faith reliance on another operator's certification may be a mitigating factor in such situations. Utilities that fit the definition of operator and who choose to rely on another operator's certification are liable to the same extent as any other operator who relies on another operator's certification.

(P) One commenter asserted that the proposed permit is not in compliance with section 7(a)(1) of the ESA, which directs agencies to utilize their authorities in furtherance of the purposes of the ESA by carrying out programs for the conservation of listed species. The purposes of the ESA include recovering listed species so that they no longer need ESA protection, and conserving the ecosystems upon which listed species depend.

EPA believes that the protections built into this permit will not only avoid or minimize adverse effects to listed species, but also affirmatively benefit such species, the ecosystems upon which they currently depend, and the unoccupied habitat into which they may recover. These benefits are inherent in the fact that the function of this permit is to reduce discharges of pollutants into the aquatic environment. Reducing pollution from construction activities reduces stress on both the individuals of listed species and aquatic ecosystems. Moreover, the permit contemplates that case-by-case protection may be developed, as appropriate, when consultation with the Service(s) occurs prior to permit coverage. The involvement of the Service(s)' biologists in such cases ensures that site-specific conservation opportunities will be identified.

(Q) Some commenters have requested that residential construction that occurs on a fully developed site be exempt from the endangered species certification requirement.

EPA declines to provide that exemption. EPA notes that impacts to listed species and critical habitat can also occur from development and construction even on fully developed sites (for example, at the point of

discharge into surface waters) and thus, residential construction operators should not be exempted from the endangered species certification requirements.

(R) Some commenters are concerned that Fish and Wildlife Offices (FWS) may not have enough staff to respond to queries or consultation requests from CGP applicants regarding listed species and critical habitat.

EPA believes that the Services have the staffing levels to address queries from permit applicants and notes that the CGP was issued in close consultation with FWS. The CGP also provides flexiblity by allowing permit applicants to use sources other than FWS for obtaining information on listed species. Applicants can use the Natural Heritage Centers whose addresses are listed in listed in Addendum A of this permit. Therefore, EPA believes that the flexibilities built into the CGP will ensure that the FWS offices are not overburdened.

(S) One commenter expressed concern regarding the obligation of NPDES storm water permitted facilities in determining construction site compliance with the ESA and NHPA. The commenter requested a clarification that the role of an NPDES-permitted municipality is limited to verifying that the pertinent sections of the NOI have been completed and that municipality is not under an obligation of verify the accuracy of certifications under the ESA and NHPA.

The reference to ''NPDES permitted municipality'' was intended to refer to a Municipal Separate Storm Sewer System (MS4) with an NPDES permit. The CGP does not impose requirements on MS4s to evaluate or verify NOIs submitted by third parties. However, if a municipality were to receive CGP coverage as an operator (by itself engaging in construction activities or development) as defined in Part IX.N. of the CGP, its obligation to meet the eligibility requirements of Part I.B.3 would be the same as any other operator under the CGP.

(T) Some commenters have stated that the proper party to bear responsibility for impacts to listed species is the public owner or site developer.

It is not clear whether this commenter intends for the term ''public owner'' to refer to governmental entities. EPA notes that the CGP applies to anyone who fits the definition of ''operator'' in Part IX.N of the permit. The CGP does allow for an overall developer or public owner to provide for a comprehensive certification which can be adopted by other operators on the site. While allowing for a single comprehensive certification to cover for other operator certifications may be the most efficient way to meet the certification requirements in many cases, there will also be situations where it is better to allow site operators the option of providing an independent basis for their certifications. Some operators may be in a better position to accurately assess the effects of their actions on listed species and may not want to rely on another operator's certification. There could also be instances where a primary contractor, and not the developer or owner, is better situated to develop a comprehensive certification. For those reasons, EPA declines to impose certification requirements solely on the public owner or site developer.

(U) Some commenters have stated that complying with the ESA certification procedures will require a substantial increase in time and resources in many situations and may double the paperwork burden from that of the earlier, first round Baseline Construction General Permit (BCGP).

EPA acknowledges that the CGP will impose an increased burden on operators to meet the certification requirements as compared to that of the BCGP. However, the substantive requirements for the CGP are more flexible and allow for NPDES coverage in more situations than the BCGP which denied coverage to anyone whose discharges might adversely affect listed or proposed to be listed endangered and threatened species or critical habitat (57 FR 41218, September 9, 1992). EPA also notes that CGP eligibility requirements represent a substantial improvement over the baseline protections which were rudimentary with respect to protecting listed species.

EPA has worked closely with the Services and given great consideration of public comments to ensure that these procedures are as flexible and least burdensome as possible. By allowing operators to rely on another operator's certification, EPA believes any additional burden imposed by these requirements can be kept to a minimum. EPA also notes that many of the procedures established to meet the CGP eligibility requirements are the same as those that developers or contractors would have to undergo anyway in order to obtain a section 10 permit for protection from ESA section 9 liability for incidental takes. The permit does allow for the acquisition of a section 10 permit as a way to meet the eligibility conditions. EPA has also provided guidance, containing species lists and other information, to assist permittees in meeting the eligibility requirements. Therefore, EPA believes that an increase in burden will be minimized for most applicants and can be balanced against the greater availability of CGP coverage to applicants.

(V) Some commenters have stated that the ESA certification requirements violate the Paperwork Reduction Act (PRA). EPA has modified its Information Collection Request (ICR) to account for changes in the paperwork burden imposed by the certification requirements and has followed all other procedures to ensure that the PRA requirements are met. Therefore, EPA has issued the CGP in full compliance with the PRA. EPA will be analyzing future NOIs to adjust certification burden estimates appropriately in the renewal of this revised ICR.

*Protection of Historic Properties*

EPA received numerous comments concerning implementation of National Historic Preservation Act (NHPA) requirements in the CGP. To avoid any confusion or inconsistencies that may result after further discussions between EPA and the Advisory Council on Historic Preservation under the NHPA, this permit does not include eligibility restrictions or evaluation requirements related to historic preservation. EPA may modify the permit at a later date based on those discussions. In that modification action, EPA would respond to NHPA-related comments submitted when EPA proposed today's permit to the extent such comments remain relevant.

*Notice of Intent and Notice of Termination Requirements*

Notice of Intent (NOI)

Several of the comments received regarding proposed revisions to the Notice of Intent (NOI) form requested clarification and questioned the need for some of the information being requested. It is important to note that the revised NOI form is still undergoing development and may not be issued in its final form by the time the final CGP is published. Until the revised NOI form is finalized and published in the **Federal Register**, applicants must use the existing NOI form which does not contain the specific certification provisions relating to listed species, critical habitat or historic properties at construction projects. However, use of the existing NOI form does not relieve applicants of their obligation to follow the procedures listed below to determine if their construction storm water discharges or storm water discharge-related activities meet permit eligibility requirements for the protection of historic properties.

One commenter opposed the requirement for a separate NOI from the ''owner/developer'' and the ''operator'' stating that the terminology is not consistent with Part III.E, Responsibilities of Operators, of the proposed permit and that a single NOI from the owner or operator is sufficient. In response to this comment, when applying the two criteria found in the definition of ''operator'' (i.e., the party that has control over construction plans and specifications, and the party with control over implementing SWPPP or other permit conditions), two or more entities may be required to submit NOI forms for permit coverage. At a typical construction project, the owner will usually meet the first criterion while the site's general contractor will meet the second, thus requiring that both entities submit a NOI. Where the owner is also the project's general contractor, only one NOI form may need to be submitted. Since EPA believes the terminology used in Parts III.E.1 and III.E.2 of the proposed permit to be consistent with the definition of ''operator,'' no changes were made in the final permit.

Two commenters favored the use of county information on the NOI form. Another recommended that the submission of latitude and longitude data for a site be optional since other legal descriptions are more readily available. In response, EPA has found that latitude and longitude are universally used to describe location on maps and are compatible with Geographic Information Systems (GIS). The use of latitude and longitude will also allow EPA to interface with State GIS systems, thus enhancing EPA's ability to deal with projects on a watershed basis. The NOI form instructions provide an Internet address which provides latitude and longitude information as well as a toll free phone number to obtain U.S. Geological Survey quadrangle maps. Consequently, requests for county and latitude/longitude information will remain on the NOI form.

Two commenters were concerned with the question regarding compliance of the Storm Water Pollution Prevention Plan (SWPPP) with applicable local sediment and erosion plans. One stated that a certification cannot be given by the general contractor who did not design the post-construction controls or the owner who has delegated the authority for the construction controls to the general contractor. The commenter suggested rewording Part II.B.1.h of the proposed permit. Upon further consideration, EPA found this question to be unnecessary and has deleted it from the NOI form.

One commenter recommended changing the term pollution prevention plan to storm water pollution prevention plan. EPA made this change to the NOI form.

One commenter believes it is sufficient that the SWPPP be completed prior to commencing construction activity and not before the NOI form is submitted. EPA has deleted the question regarding implementation of the SWPPP. However, before the NOI form can be submitted, the SWPPP must be completed to ensure that appropriate controls to meet ESA and NHPA certification requirements, if needed, are included to avoid or mitigate adverse effects to listed endangered or threatened species, critical habitat or historic properties. Since applicants do not have to submit their NOI's until 48 hours prior to the commencement of construction, this is not a significant period of time and should have no effect on construction activities.

One commenter recommended deleting the question regarding estimate of the likelihood of discharges or clarifying its purpose. In response, EPA believes that it is important to request such information because it requires applicants to consider the expected frequency of discharges from a site and anticipate the need for inspections and maintenance of storm water controls. In response to another comment that requested this question be deleted because the environmental risk between infrequent arid discharges and more common temperate discharges has not been established, EPA will not use responses to this question as an absolute measure of risk but only an indication of risk at that site.

One commenter requested that EPA expand the requirements of the NOI to provide better accountability to the public and government agencies and improved oversight of a project. The commenter noted that the Urban Wet Weather Flows Federal Advisory Committee (UWWFFAC) agreed upon an ''expanded NOI'' for industrial activities and agreed on this idea for construction activities as well. However, consensus on what the ''expanded NOI'' should consist of for construction activities was not reached. In addition, the commenter suggested the following items (which should be included in the SWPPP and known at the time of submittal of the NOI) be added to the form: a brief description of the project; the overall size of the project in addition to the number of acres that will be disturbed; if there are any permanent water bodies including wetlands on or near the site; how close the disturbed areas will be to the water body or wetland; predominant soil type (soil conservation service soil series, hydrological soil group and erosion factors); maximum slope in disturbed areas; a check-off section for identification of principal Best Management Practices to be used on-site; number of phases for the project (if 10 acres or above); number of acres per phase (if 10 acres or above) or for the whole project (for projects less than 10 acres; the schedule of construction activities; and for each phase the estimated time and number of acres that will be exposed to precipitation after removal of vegetative cover and before final stabilization. In response, since these additional questions were not proposed for public comment, will increase the regulated community's administrative and cost burdens associated with completing the form, and are subject to prior U.S. Office of Management and Budget review and approval, EPA is not including them on the NOI form at this time. EPA is, however, proceeding with an expanded revision to the NOI form for industrial storm water dischargers applying for coverage under EPA's Multi-Sector General Permit.

One commenter suggested that it would be more efficient to administer NOIs at the EPA Regional level and asked if this data can be accessed or used by the public or permit holders. EPA has found that having a central location for processing NOIs has been an efficient and effective method of managing the tremendous amount of data which the program has generated since its inception in 1992, and sees no reason to change at this time. Members of the public can request information contained in the NOI database by sending a signed letter to the US EPA (4203), Storm Water NOI Center, 401 M. Street, SW, Washington, D.C. 20460.

To streamline and clarify the NOI, EPA intends to make other changes to the proposed form. These changes are contingent upon EPA receiving approval from the US Office of Management and Budget. The terms located underneath the EPA logo on the form have been revised to state that: (1) Submission of the NOI constitutes notice that the eligibility requirements in Part I.B. of the general permit, including those related to protection of endangered species and critical habitat, are met; (2) the applicant understands that continued authorization to discharge is contingent on maintaining permit eligibility; and (3) implementation of the SWPPP will begin at the time the permittee begins work on the construction project. These clarifications were made to emphasize

the need to meet requirements pertaining to endangered or threatened species and critical habitat.

EPA has made information regarding the location for viewing site SWPPPs and contact information optional. EPA encourages applicants to provide this information to improve public access to view SWPPPs. Upon request, EPA intends to assist members of the public in obtaining access to permitting information, including SWPPPs.

For clarification, EPA has reworded the question regarding listed endangered or threatened species or designated critical habitat in the project area of this site. EPA has changed the proposed certification statement to be the same as that contained in Box 1 of the current NOI form. The proposed certification statement had included information regarding the Endangered Species Act and National Historic Preservation Act. This information has been moved to a different section of the form to appear as two separate questions where applicants can check under which provision of the permit they satisfy eligibility requirements with regard to protection of endangered or threatened species or their critical habitat. Applicants will not be required at this time to identify which provision of the permit they are certifying eligibility under for the protection of historic properties. The Agency intends on modifying the permit (if necessary) after completion of the Programmatic Agreement between EPA and the Advisory Council on Historic Preservation in order to provide the certification language.

EPA deleted the following questions because they were determined to be unnecessary: (1) ''Will construction (land disturbing activities) be conducted for storm water controls?''; and (2) ''Is application subject to a written historic preservation agreement?''

EPA requested comments on alternative time frames for NOI submittals. One option required a 30-day advance time frame in which to submit a NOI. The Agency received several comments encouraging EPA to adopt the 30-day time frame because it would provide the developer with a permit number at the commencement of construction. All other operators could then apply for coverage 48 hours before beginning work at the project. This would provide a consistent tracking mechanism for each project since the project name and contractors may change during the course of a project. It would also allow EPA sufficient time to verify that permittees are eligible for coverage under the ESA provisions. Another commenter suggested that the 30-day period would allow citizens more time to find out about a project, assess the storm water management plans, and discuss their concerns with the permittee if necessary. In this way, prior notice could actually reduce disputes and controversy. Under the 48 hour requirement contained in the BCGP, an NOI would probably not be received by EPA until construction had already started.

However, most commenters stated that the present requirement of filing a NOI 48 hours prior to the commencement of construction activities should remain in effect. They felt extending the deadline to 30 days would hinder construction efforts, bring about unnecessary delays, disrupt construction schedules, and place unnecessary additional burdens on permittees. One commenter from Alaska stated the Alaska construction season is short and in some cases a 30-day advance filing period would delay a project for an entire year. Another commenter stated any extension of the two day notification time frame would only serve to slow residential construction activities and add interests costs to the activities of small businesses and home buyers. The commenter also felt that requiring the 30-day advance notice on small, routine construction projects would force project teams and construction crews to be mobilized for at least one additional month, without much environmental benefit and at additional expense.

After considering all comments related to the 30-day NOI submission requirement, EPA has retained the permit requirement to submit an NOI at least 48 hours prior to the start of construction activities.

Many commenters expressed concern about having to submit up to three NOI forms for ongoing construction projects in order to maintain permit coverage. For instance, an initial NOI was required 48 hours prior to the commencement of construction activities under the BCGP. Then, a second NOI was required at least 48 hours prior to the permit's expiration date to continue coverage for ongoing projects. Finally, a third NOI must be submitted for the project if it was not completed prior to the effective date of the reissued general permit.

A number of applicants stated the process should be simplified. They noted that EPA should issue a blanket extension to cover all projects which continue after the expiration of the BCGP, and permittees should be allowed to submit an abbreviated form to receive continued permit coverage. One commenter suggested that permittees send in post cards requesting extended coverage under the expired permit, and file a new NOI when the permit is reissued. The post card would be a pre-printed form by EPA where the permittee fills in the blanks.

In response to the comments concerning the need to submit multiple NOIs in order to maintain permit coverage, EPA has simplified the process for dischargers covered by the permit prior to expiration. If EPA does not reissue this permit prior to expiration, EPA will presume that covered permittees seek continuing coverage unless and until EPA receives a Notice of Termination (NOT) (see Part VI.B, Continuation of the Expired General Permit). Commenters expressed serious concern about having to submit multiple NOIs based on the lapse between expiration of the previous permit and issuance of this permit. In order to maintain continuing authorization under the expired permit, permittees were required to reapply prior to expiration. Then, upon issuance of this permit, an additional ''new'' NOI for authorization under this permit is required. To avoid this double NOI submission near the time of permit expiration and reissuance, EPA would have needed to modify the earlier CGP prior to expiration to remove the requirement for resubmission of an NOI prior to expiration. As a result, EPA is making those changes in today's permit. For more information, see the section below titled ''Continued Coverage Under the Permit if it Expires Prior to Reissuance or Replacement.''

One utility group estimated that in Texas alone a total of 24,400 ''requests for service'' were received in 1996 where the requestor of service was impacting five (5) or more acres of land. If the proposed general permit were in effect, the utility group would have to submit 48,000 NOIs/NOTs to EPA at an additional annual cost as high as $75 to $100 million in order to comply with this general permit. The utility group stated that EPA's proposal encourages, if not requires, a fragmented approach to control over storm water pollution prevention activities. In response, EPA has re-evaluated the status of utility company service line installations and has found that these activities generally do not meet the definition of operator, thus do not require permit coverage. The final permit has been revised to eliminate the need for utility companies to submit NOIs for permit area-wide coverage.

One commenter stated there is a provision in the regulations that allows for a general permit to be issued without the submittal of a NOI. The commenter

urged EPA to consider the adoption of a general permit program that eliminates the need to submit a NOI, particularly in areas where State or local governments already have sediment and erosion control or storm water management requirements in place. In response to this suggestion, 40 CFR 122.28(b)(2)(v) excludes this option for entities seeking coverage under the general permits for discharges of storm water associated with industrial activity (which includes construction activity). Consequently, the requirement that operators seeking permit coverage submit a NOI will remain in the permit.

NOT (Notice of Termination)

The Agency received comments supporting the idea that permittees must submit a Notice of Termination (NOT) within 30 days after completion of their construction activities and final stabilization of their portion of the site. The commenters stated that it would improve permittees accountability. No change has been made to the permit.

Several commenters recommended that special provisions should be added to the Notice of Termination for projects which occur on agricultural lands. For projects such as an underground pipeline crossing agricultural land, the commenters argued that the conditions for meeting ''final stabilization'' should be modified. EPA agrees that in such a case where agriculture is final land use, the provisions of the NOT pertaining to final stabilization may not be appropriate. The definition of final stabilization in the final permit has been modified to include a provision which includes land that has been returned to its previous agricultural use.

The NOT requirements of the final permit have been modified to be consistent with the existing NOT form. However, the conditions under which the NOT can be submitted have been clarified to address concerns raised by commenters. The current NOT form expires on August 31, 1998. EPA is in the process of renewing the form before that date. For more information, refer to the responses to comments on residential construction, final stabilization, and the definition of operator.

*Storm Water Pollution Prevention Plan Requirements*

Deadlines for Compliance With the New SWPPP Requirements

Several commenters requested additional time to come into compliance with the new requirements of the SWPPP. EPA agrees that additional time may be necessary to review the requirements of the new permit and achieve compliance with these requirements. Accordingly, Part II.A.5 of the final permit was modified to provide 90 days to come into compliance with the new SWPPP requirements (rather than 30 days as proposed in the draft permit) for permittees with ongoing projects which are currently operating under the previous Baseline Construction General Permit (BCGP).

The final permit also provides (Part II.A.6) for permittees submitting NOIs for new projects during the 90 day period following the effective date of the permit. These permittees will also be provided 90 days after the effective date of the new permit to achieve compliance with the new SWPPP requirements provided that they have developed and are ready to implement a SWPPP based on the BCGP requirements at the time of NOI submittal. This provision rewards conscientious operators who made the effort to control their discharges and comply with the BCGP provisions even though the final version of the CGP was not legally available at the time they began construction. Requiring compliance with an ''interim'' SWPPP based on the BCGP for the first 90 days ensures a level of environmental protection during the time that the permittee is updating their plan to comply with the final CGP conditions.

Compliance with such an interim SWPPP represents limitations based on BAT because, as EPA explained when it issued the previous BCGP, in developing technology-based standards applicable to storm water permits for construction activity the time required to develop and implement a SWPPP is a necessary consideration in determining whether a requirement is economically and/or technologically achievable. Development and implementation of SWPPPs require time. To develop the SWPPP required by the CGP, EPA believes 90 days from the effective date of the permit represents a reasonable estimate of what is economically and technologically achievable. To implement such a SWPPP, EPA believes that 90 days from the effective date of the permit is economically and technologically achievable. In the interim period until development and implementation of the SWPPP required by today's permit, EPA believes that compliance with an interim SWPPP is economically and technologically achievable.

Operators who do not have an interim SWPPP at least as stringent as would have been required under the BCGP must prepare their SWPPP based on the final CGP prior to submitting an NOI. Given the short term of some construction projects, this procedure ensures that the Agency does not provide a loophole under which a permittee could receive authorization to discharge for 90 days without having to implement any storm water controls whatsoever.

Retention Ponds

Several comments were received regarding the section of the permit describing the use of Structural Practices (Part IV.D.2.a.(3)). The proposed permit describes the structural practice required for common drainage locations that serve an area with 10 or more acres disturbed at one time: * * * ''a temporary (or permanent) sediment basin providing 3,600 cubic feet of storage per acre drained, or equivalent control measures, shall be provided where attainable until final stabilization of the site.'' One commenter referred to this section of the proposal as a ''new'' requirement. The requirement has in fact been in place since the 1992 general permit. Several commenters suggested that the permit allow that the volume requirements be adjusted in consideration of differences in meteorologic conditions and the runoff coefficient. The proposed retention requirements were based on containment of a 2-year, 24 hour storm which was assumed to be three inches, and also the assumption that the runoff coefficient would be 0.33. After consideration of these comments, EPA has modified the language in this section to read ''A temporary (or permanent) sediment basin that provides storage for the volume of runoff calculated using the local 2-year, 24 hour storm and runoff coefficient from each disturbed acre drained, or equivalent control measures, shall be provided where attainable until final stabilization of the site. Where no such calculation has been performed, a temporary (or permanent) sediment basin providing 3,600 cubic feet of storage per acre drained, or equivalent control measures, shall be provided where attainable until final stabilization of the site.'' Comments were also received on the inappropriateness of such a requirement for linear construction projects. In response, the requirement only applies to sites where 10 acres of disturbance share a common drainage location. This scenario is unlikely on a linear construction site, where runoff is typically served by several drainage locations. However, if it does occur, the permit requirements would apply.

Sod Stabilization

A few commenters noted that sod stabilization was listed as an erosion control method, but was not listed as a final stabilization method. In section III.A.1.d of the draft fact sheet, EPA lists sod stabilization as a stabilization practice for sediment and erosion control. Sod stabilization is again listed in Part IV.D.2.a.(2) of the draft permit, with other stabilization practices in the sentence: ''Stabilization practices may include: temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures.'' The permit also notes that this list is intended to include interim and permanent stabilization measures. As such, EPA believes that sod stabilization was adequately indicated as a final stabilization option in the proposed permit.

Off-Site Vehicle Tracking of Sediments

Part IV.D.2.(c) of the draft permit required that off-site vehicle tracking of sediments be minimized. A commenter noted that the draft fact sheet had suggested that wash racks be provided to reduce off-site tracking of sediments from construction sites. The commenter was unclear whether or not this was considered a requirement of the permit. The commenter contended that wash racks may increase pollutant discharges in some circumstances and that wash racks should be optional. Other commenters noted that the time of arrival of delivery trucks varies, and concern was expressed that costs could be increased if the permit were to require power washing of trucks at all times of the day. Also, since there may be insufficient space for placement of stabilized construction entrances in some cases, it was suggested that shoveling of dirt from the street should be an acceptable alternative.

The draft fact sheet noted that there are a number of BMPs which may be implemented to comply with Part IV.D.2.c.(2) including gravel exits, wash racks or stations, and street sweeping. EPA's guidance manual entitled ''Storm Water Management for Construction Activities, Developing Pollution Prevention Plans and Best Management Practices,'' EPA 832–R–92–005, also mentions the scheduling of deliveries at a time when personnel are available for cleanup (if needed) as another BMP to be considered.

However, the draft permit did not specify the precise BMPs to be implemented to comply with Part IV.D.2.c.(2), nor did the permit necessarily require all possible BMPs in every circumstance. Wash racks, for example, would be one of several control measures to be considered by permittees, but not necessarily required. EPA believes that the draft permit language provides the necessary flexibility to allow operators to select the most appropriate BMPs depending on individual conditions. As such, the proposed Part IV.D.2.c.(2) in the draft permit was retained in the final permit.

Another commenter approved of the requirement to remove off-site sediments, but also recommended that the permit should require removal within a specified time frame such as within 30 days. In addition, this commenter recommended that the permit should require sediment removal from streams, wetlands and other waters of the United States rather than just off-site areas.

With regard to the issue of the time frame for removal of off-site sediments, the draft permit had required that removal be conducted at a frequency necessary to minimize impacts. The final permit retains this requirement in consideration of the variety of construction projects which would be covered by the permit and the need for adequate flexibility.

With regard to the issue of sediment removal from streams and wetlands, we would point out that the purpose of the NPDES permit program is to control discharges of pollutants before they enter waters of the United States. The permit regulates discharges resulting from activities of permittees prior to outfalls discharging to waters of the United States to the extent necessary to ensure compliance with water quality standards in the receiving waters (including any requirements pertaining to sediment accumulations) and technology-based effluent limitations. As such, the final permit does not include the commenter's recommendation to include requirements for sediment removal in the receiving waters. Removal of sediments from the receiving waters would be addressed outside the realm of NPDES permit requirements such as through enforcement action against a permittee for noncompliance with the permit.

Avoiding Impervious Surfaces for Stabilization

A commenter objected to the statement in Part IV.D.2.a.(2) of the draft permit which reads: ''Use of impervious surfaces for stabilization should be avoided.'' The commenter appears to be interpreting the statement as a prohibition or near prohibition of the use of impervious surfaces for stabilization. The following was suggested as an alternative: ''Pervious surfaces for stabilization are preferable to impervious surfaces when the application is appropriate for the use.''

The statement discouraging the use of impervious surfaces is included in the draft permit in consideration of the fact that impervious surfaces will increase runoff and may increase erosion and pollutant discharges. However, the statement does not prohibit the use of impervious surfaces for stabilization and EPA believes that the existing language does not need further clarification in this regard. As such, EPA has retained the proposed language in the final permit.

Flexibility in Choosing Controls

Some comments were received requesting more flexible permit conditions. In particular, one commenter stated that the permit requirements for erosion controls (*e.g.* sediment basins) and performance standards may not be appropriate to all sites throughout the nation. EPA's permit requirements for erosion control are intended to be flexible enough to allow the permittee to design site specific controls which are appropriate given the site topography, climate, and geographic location. The parts of a storm water pollution prevention plan (SWPPP) that require stabilization practices, structural practices, and storm water management all include the statement: ''Such practices may include * * *'' These parts of the SWPPP list some potential controls that should be considered by the permittee when designing a comprehensive plan to minimize erosion and sedimentation. The permit language for sediment basins serving common drainage locations with 10 or more acres of disturbed area, also includes the words ''or equivalent control measures, shall be provided * * *'' This language allows the permittee the flexibility to design and install appropriate site specific controls.

With regard to use of flexibility when choosing appropriate storm water controls for a construction project, comments were received concerning factors to consider such as public safety and proximity to airports. Commenters stated that storm water controls should be designed to reduce safety risks, especially to children. Also, structures which maintain a continuous habitat for wildlife, such as storm water retention ponds, should not be constructed within 10,000 feet of a public-use airport serving turbine powered aircraft or within 5,000 feet of a public-use airport serving piston powered aircraft due to

the potential hazards to aviation caused by birds. EPA agrees with both comments and has included language in the Part IV.B of the Fact Sheet to address them.

Implementation Schedules

Other commenters raised issue with Part IV.D.2.a.(2) of the proposed permit, which requires a record in the storm water pollution prevention plan (SWPPP) of the dates for implementation of stabilization practices for erosion control. Several commenters interpreted this as a requirement to predict in advance the specific dates when the stabilization practices would be implemented. The commenters argued that since the pace of a construction project cannot be known with certainty, it would not be possible to make such predictions. Concern was also expressed regarding Part IV.D.2 of the draft permit which requires that the SWPPP include the ''timing'' for the control measures which would accompany the construction project. Although the general timing may be reasonably predictable, the precise timing can not predicted.

With regard to Part IV.D.2.a.(2) of the draft permit, it is not EPA's intent that the dates for the implementation of the stabilization practices be included in the SWPPP which is prepared at the time a construction project begins. Rather, permittees would maintain and update a record of such dates when the dates for implementation are known. The record would be attached to the SWPPP. The final permit has been modified to clarify this matter.

The intent of Part IV.D.2 of the draft permit is to ensure an appropriate sequence of construction activities and accompanying BMPs to minimize erosion. It is not EPA's intent that the exact timing of the control measures be predicted in advance. For clarity, the final permit replaces the word ''timing'' with ''general timing'' as was suggested in the comments. The permit also provides an example of the type of sequencing of construction activities and BMPs which is intended by this permit requirement.

Local Requirements

Part IV D.2.c.(3) of the proposed permit includes the requirement to ensure and demonstrate compliance with applicable state, tribal and/or local waste disposal, sanitary sewer or septic system regulations to the extent that applicable requirements exist within the permitted area. One commenter requested that this language be deleted. The comment stated that these regulations apply regardless of the storm water permit. EPA agrees with this, however, EPA also believes that an explicit statement of one's responsibility to comply with state, tribal, and local regulations eliminates any doubt as to their applicability to a project. It is not EPA's intent to require permittees to reproduce pre-existing state, tribal, or local plans for the sole purpose of including them as part of the project SWPPP. Plans affecting the permitted activity, construction, may be referenced in the SWPPP. The location of the other plans/policies, etc., should also be clearly stated in the SWPPP. The provision for demonstration of compliance with state, tribal and/or local regulations remains in the permit.

Another commenter raised concerns over what they saw as overlapping and conflicting requirements between the proposed permit and existing State, Tribal, and local requirements in general. In response, EPA draws their attention to Part IV.D.2.d. of the proposed permit, which states that the permittee shall provide certification in their storm water pollution prevention plans that reflect appropriate State, Tribal and local regulations. Nothing in the permit is intended to relieve the permittee of his obligations to comply with appropriate State, Tribal, or local requirements. In a situation where there are similar requirements under different programs, a permittee should comply with the more stringent of the requirements. Permittees may also use existing plans or local approvals as part of their pollution prevention plans when such use is appropriate.

Signature, Plan Review and Making Plans Available

Several comments objected to the requirement that permittees provide public access to SWPPPs. Some questioned whether EPA has the authority to require permittees to provide such access. Others raised liability issues with regard to allowing the general public to enter construction sites. The proposed requirement was intended to provide the public with information concerning the project and the SWPPP. EPA does not intend to allow the public uncontrolled and unlimited access to construction sites or to cause hazards or disruptions at constructions sites. In response to the comments, Part II.C.2 has been deleted (62 FR 29809 ) and Part IV.B.2 has been rewritten. The changed language requires site operators to conspicuously post a notice near the main entrance of the site. For linear construction projects (*e.g.,* pipelines or highways) the notice must be placed in a publicly accessible location near where construction is actively underway and moved as necessary. If it is infeasible for the operator to post the notice at the main entrance of the site, the notice shall be posted in a local public building such as the town hall or the public library. The notice shall include the following information: the project's NPDES permit number; the local contact name and phone number; a description of the project; and location of the SWPPP if it isn't maintained on site. The permit does not require that the general public have access to the site, nor does it require that operators provide copies of the plan, or to mail copies of the plan, to members of the public. EPA strongly encourages permittees to provide the public with access to SWPPPs during reasonable hours. Upon request, EPA intends to assist members of the public in obtaining access to permitting information, including SWPPPs. EPA believes that this approach will create a balance between the public's need for involvement in projects potentially impacting water bodies and the operator's need for safe and unimpeded work conditions.

Site Inspections

The June 2, 1997 proposed permit required site inspections to be conducted once every fourteen calendar days. Several comments expressed positive feedback that the proposed permit decreased the frequency for inspections from once per seven calendar days, the requirement of the baseline general permit promulgated in 1992, to the fourteen day period now required. However, the feeling was that this was still too burdensome. The purpose of an inspection at construction sites/projects is to ensure that the pollution control measures described in a project's pollution prevention plan are operating in the manner which is described in the plan. The high level of activity which typically occurs at construction sites can increase the potential for control measures to be displaced or disrupted. Given the unpredictability of the weather, EPA believes that inspections at the proposed frequency will provide assurance that when a storm event occurs, control measures will be operating properly. An inspection frequency less than that which was proposed is not adequate to verify proper and continued operation of control measures. Therefore, the inspection frequency remains as proposed.

Another commenter raised issue with the frequency of inspections, in that too many would cause damage to restored areas of linear projects, such as pipeline

construction. They stated that alternative inspection schedules would be more appropriate for these types of projects. In reply, EPA reiterates that the purpose of inspections is to make sure that the storm water pollution prevention controls and measures are operating properly. When construction activities are occurring along various locations of the project, such as a pipeline, inspections should be conducted to ensure that control measures in that area are operating properly. EPA would also point out that Part IV.D.4 of the permit provides that inspections are only required once every 30 days for areas which are finally or temporarily stabilized. EPA concludes therefore, that no alternative inspection schedule should be included in the final permit for such projects.

One commenter expressed concern regarding inspections at airports and how they could be accomplished in compliance with FAA regulations, particularly with regard to aspects of safety and security. In response, EPA notes that the inspection provisions of the permit pertain to the operator of a construction project inspecting his storm water management systems and control measures. All EPA inspectors will produce official credentials upon request to satisfy security concerns, and will be able to accommodate reasonable safety procedures consistent with the purpose of verifying permit compliance. EPA does not believe that additional requirements need to be added to the permit.

Several comments were received on the difficulty in predicting storm events and the requirement for qualified personnel to inspect areas specified on the site ''* * * before anticipated storm events (or series of storm events such as intermittent showers over a period of days) expected to cause a significant amount of runoff * * *'' Part IV.D.4. After consideration of these comments, EPA has modified this section to read ''Qualified personnel (provided by the permittee or cooperatively by multiple permittees) shall inspect disturbed areas of the construction site that have not been finally stabilized, areas used for storage of materials that are exposed to precipitation, structural control measures, and locations where vehicles enter or exit the site at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater.'' The Agency will, however, retain the language in Part IV.D.3, which reads ''* * * maintenance shall be performed before the next anticipated storm event, or as necessary to maintain the continues effectiveness of storm water controls.'' EPA also recommends that permittees perform a ''walk through'' inspection of the construction site before anticipated storm events (or series of storm events such as intermittent showers over a period of days) expected to cause a significant amount of runoff . The Agency believes this modification will relieve regulatory burden, while continuing to place sufficient emphasis on the importance pre-storm preparedness.

Another commenter supported the proposed requirement for inspections prior to anticipated storms. However, as noted above, this provision was removed from the final permit due to concerns regarding the predictability of the weather.

Contractor/Subcontractor Certification of the Storm Water Pollution Prevention Plan

Site operators indicated that they often had difficulty in getting contractors and subcontractors to sign the subcontractor certifications in the previous permit and repeated in the proposed permit. This was a problem for them since the permittee, and not the subcontractor, would be liable for violating the permit if these subcontractor certifications were not signed. Many also felt the certifications were unnecessary since the quality of the storm water and compliance with permit conditions was ultimately the permittee's responsibility anyway.

EPA has addressed the commenters'' concern by eliminating the requirement for contractor/subcontractor certification of the pollution prevention plan. EPA also points out that the permittee is responsible for compliance with the terms and conditions of the permit, and that coordination with subcontractors will be necessary to ensure compliance.

*Special Conditions, Management Practices, and Other Non-numeric Limitations*

Releases in Excess of Reportable Quantities

One commenter requested more specific references to information regarding releases of reportable quantities (RQ) of hazardous substances or oil, and the National Response Center (NRC). All necessary information related to RQ releases and the NRC are contained in the permit, and in 40 CFR Parts 110, 117 and 302. The National Oil and Hazardous Substances Pollution Contingency Plan (also known as the National Contingency Plan (NCP)), found at 40 CFR 300, provides additional information about the organizational structure and procedures for preparing for and responding to discharges of oil and releases of hazardous substances, pollutants, and contaminants. In addition to the NCP, Regional Contingency Plans (RCP) exist for every Region, and Area Contingency Plans (ACP) may also exist. EPA Regional offices should be contacted directly for copies of available materials. Additional information is available via the Internet at the following web sites for the U.S. National Response Team (NRT) and the NRC: www.nrt.org and www.dot.gov/dotinfo/uscg/hq/nrc.

Another comment was received requesting clarification on which party is responsible for reporting an RQ release where more than one operator (*e.g.* owner and contractor) has received coverage for the same project. The commenter questioned whether both permittees need to report an RQ release. Only one permittee for a project needs to report an RQ release. The permittee with the most direct authority over the spill should make the report. Generally, this will be the permittee with day to day operational control of the construction project (*e.g.* the general contractor).

A further comment requested a permit requirement that permittees report any RQ releases to the operator of the municipal separate storm sewer system in addition to the National Response Center (NRC). The NRC was created under the National Contingency Plan (NCP) and is charged with receiving reports of all chemical, radiological, oil and biological releases regulated by the Clean Water Act. The NRC immediately relays reports to the appropriate State and Federal on-scene coordinators. Depending on the type of release, severity, location and receiving system (soil, air or water), additional local contacts may be notified (*e.g.*, city fire departments or hazardous material teams). EPA believes that this notification process is efficient and effective. Individual municipalities should contact their State or local response departments to request that they be provided information when RQ releases occur to their storm sewer systems.

*Standard Permit Conditions*

Requiring an Individual Permit

Some commenters recommended that the construction general permit not cover all construction activities and that some activities should be publicly noticed prior to ground-breaking. These commenters were concerned that some construction activities may warrant individual permits.

According to Part VI.L of the proposed permit, ''The Director may require any person authorized by this permit to apply for and/or obtain either an individual NPDES permit or an alternative NPDES general permit. Any interested person may petition the Director to take action under this paragraph * * *'' However, it is a local land use decision on whether to allow a proposed development project. It is only after the decision to develop has been locally approved and the developer is ready to break ground would the operator(s) need to apply for a permit. Even then, EPA's authority is limited to placing conditions on the discharge of pollutants from the site. The requirement for a permit is therefore not triggered until long after the local land use decision has been made. The Agency encourages interested parties to participate in local public participation opportunities afforded by local land use authorities.

The draft fact sheet had noted in section IV.C that in some situations EPA may require dischargers authorized under the general permit to apply for an individual permit, and that the general permit would continue to apply until the individual permit becomes effective. A commenter argued that if the general permit is inappropriate for a particular project, construction should cease until the individual permit becomes effective. The commenter also objected to the provision allowing an unspecified amount of time to submit the individual application.

NPDES regulations at 40 CFR 122.28(b)(3)(iv) provide that when an individual permit is required for a facility covered by a general permit, the applicability of the general permit terminates upon the effective date of the individual permit. Since the commenter's recommendation is inconsistent with the regulations in this regard, the requested modification was not incorporated into the final permit. The reason for these procedures is to provide the opportunity for public comment on proposals to require individual permits which EPA believes is important in making sound environmental decisions.

With regards to the issue of a deadline for submittal of individual applications, we would again point out the NPDES regulations at 40 CFR 122.28(b)(3)(ii) do not specify such a deadline. A deadline was not included in the final permit due to the wide variety of projects which the general permit would cover, and uncertainties and variations in the amount of time which may be necessary to provide the necessary information. Any request by the director for an individual permit application will specify the deadline for submittal.

Penalties for Non-Compliance

Some commenters argued that the civil and criminal penalties listed in the permit are excessive for residential construction contractors and seemed to be more geared toward large project industrial construction activities. The penalties referenced in the permit are simply the statutory maximums for violations of NPDES permits as established by Congress and required to be included as a standard condition in all NPDES permits (see 40 CFR 122.41(a), as revised). Actual penalties assessed for permit violations in administrative enforcement actions take into account factors such as the economic benefit of avoiding permit compliance, gravity of the violation, and the compliance history of the permittee.

Continued Coverage Under the Permit if it Expires Prior to Reissuance or Replacement

Many parties were frustrated by the seeming unnecessary duplication of effort involved in submission of NOIs, especially because the previous CGP expired prior to reissuance. Permittees were frustrated over having to submit one NOI during the term of the permit (48 hours before construction), a second NOI to be covered by the expired but administratively continued permit (prior to expiration), and a third NOI to obtain coverage under the new permit once issued. To reduce the paperwork and administrative burden, the Agency has reevaluated the notification (reapplication) procedures for effective functioning of general permitting consistent with applicable provisions of the Administrative Procedure Act (APA), 5 U.S.C. 558(c).

Under the APA, if a permittee makes a timely and sufficient application for a renewal or a new permit (in accordance with agency rules), a permit for an activity of a continuing nature does not expire until the application has been finally determined by the agency. Enactment of the APA preceded the development of general or area wide permits to authorize a variety of similar sources. General permits are developed and issued prior to ''application'' for coverage from individual dischargers. The functional equivalent to an application for coverage under a general permit is the Notice of Intent (NOI). Therefore, EPA general permits have provided for continuing authorization to discharge under an expiring general permit by requiring resubmission of an NOI prior to expiration. The resubmission of the NOI indicated to the Agency that the discharger sought to renew its permit authorization. By operation of law, the authorization to discharge would continue until EPA ''finally determined'' the renewal application, for example, through affirmative Agency action to make a new general permit available or to require submission of an individual permit application. In reissuing a general permit, however, the Agency may revise permit requirements. Thus, the Agency required reapplication—submission of a new NOI—for dischargers who elect to abide by the terms of that new permit. If the new general permit differed from the previous general permit in important ways, a discharger may elect instead to apply for a individual permit.

For today's general permit, EPA has revised the notification (reapplication) procedures that would apply if the Agency fails to reissue a new general permit prior to expiration of this one. Permittees will no longer be required to file an NOI prior to expiration in order to maintain continuing authorization. Instead, EPA will presume that a permittee who does not file a Notice of Termination (NOT) or an individual permit application seeks continuing authorization to discharge under the expiring permit and intends to abide by the terms of the expiring permit until EPA reissues the permit (or makes an alternative general permit available). EPA believes this procedure is warranted under today's general permit because: (1) The permit requires submission of a NOT to terminate permit coverage; (2) construction activity (prior to final stabilization of land surfaces) lasts for a fixed interval that may extend beyond expiration of the permit; (3) EPA recognizes that circumstances beyond the control of the permittee may result in its failure to obtain ''new'' permit coverage prior to expiration of this general permit; and (4) the NOI requirements from today's general permit may differ from the general permit that would replace it. EPA notes that general permits for storm water discharges associated with construction activity differ from most all other EPA general permits because only construction general permits require NOTs. Given the finite and limited duration of construction activity which may straddle expiration of the general permit, combined with the requirement for submission of a NOT, EPA believes this procedure provides permittees with permit authorization with reduced paperwork burdens.

The revised notification/reapplication procedures are as follows. First, if the permit is reissued or replaced before the

expiration date, permittees will need to comply with whatever conditions are in the new permit for transitioning from this permit (usually submission of a new NOI). Second, if the permit is not reissued or replaced until after the permit expires, the permit will ''continue'' in force and effect for those permittees who have submitted an initial NOI but have not yet submitted an NOT or individual permit application. A permittee will remain subject to permit requirements until submission of an NOT. Such permittees remain automatically covered under the expired general permit (and do not need to resubmit an NOI to EPA prior to expiration) until the earliest of: (1) Permit reissuance or replacement; (2) submission of a NOT; (3) issuance of an individual permit for the activity; or (4) the Director issues a formal permit decision not to reissue the permit, at which time permittees must seek coverage under an alternative permit.

*Definitions*

''Operator''—the Party or Parties That Need To Apply for Permit Coverage

Several commenters requested clarification of the definition of ''operator.'' Others felt that including the definition in the permit was an illegal attempt to make a new regulatory definition without going through the formal rulemaking process. The definition of ''operator'' is critical, since it is the operator of a discharge of storm water associated with construction activity that is required to obtain coverage under an NPDES permit. See 40 CFR 122.26(c)(1)(ii). The Agency agrees some clarification is appropriate as to how the term ''operator'' is applied to construction sites. The interpretation of ''operator'' as it applies to discharges of storm water associated with construction activity is consistent with the statutory and regulatory requirements for permitting of dischargers and does not expand the requirements of permits to anyone who is not already legally required to obtain permits in accordance with the Clean Water Act and existing regulations.

The definition of storm water associated with industrial activity was promulgated November 16, 1990 [55 FR 47990] and is found at 40 CFR 122.26(b)(14). Category (x) of the definition of storm water associated with industrial activity is ''construction activity including clearing, grading, and excavation activities except: Operations that result in the disturbance of less than five acres of total land area which are not part of a larger common plan of development or sale.'' In accordance with 40 CFR 122.21(b), ''when a facility or activity is owned by one person but is operated by another person, it is the operator's duty to obtain a permit.'' Since the applicability of the ''operator'' is important to understanding a party's responsibilities under the permit, EPA believes it is critical to inform permittees of the Agency's interpretation of how the regulatory definitions of ''owner or operator'' and ''facility or activity'' apply to discharges of storm water associated with construction activity. The definition in the permit is not a formal regulatory definition in and of itself.

In the context of discharges of storm water associated with construction activity, EPA interprets ''operator'' to mean any party associated with a construction project that meets either of the following two criteria: (1) The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or (2) the party has day-to-day operational control of those activities at a project which are necessary to ensure compliance with a storm water pollution prevention plan for the site or other permit conditions (*e.g.*, they are authorized to direct workers at a site to carry out activities required by the storm water pollution prevention plan or comply with other permit conditions). Further, an operator shall be considered to have operational control over all their subcontractors.

EPA wants to make it clear that it does not intend to include under the definition of ''operator'' individuals who hire a general contractor to construct a home for their personal use (*e.g.*, not those to be sold for profit or used as rental property). EPA believes that the general contractor, being a professional in the building industry, should be the entity rather than the individual who is better equipped to meet the requirements of both applying for permit coverage and developing and properly implementing a SWPPP. However, individuals would meet the definition of ''operator'' in instances where they performed the general contracting duties for construction of their personal residences.

*Crosscutting Issues and Comments Not Directly Related to a Specific Permit Condition*

Authority To Regulate Storm Water Discharges Associated With Construction Activity

Several commenters questioned EPA's legal authority to require permits for discharges of storm water associated with construction activity. Some of these commenters noted that EPA only has the authority to regulate the discharge of pollutants.

First, EPA would like to point out that while the proposed permit referred to ''discharges,'' 40 CFR 122.2 defines ''discharge'' to mean ''discharge of pollutants.'' The final permit has been modified in several places to more clearly reflect that it is the discharge of pollutants that is authorized and regulated by the permit. The regulatory definition of ''discharge'' has also been added to the permit.

Second, Clean Water Act section 301(a) states ''except in compliance with this section and sections 302, 306, 307, 318, 402, and 404 of this Act, the discharge of any pollutant by any person shall be unlawful.'' Section 402(a)(1) authorizes the Administrator to issue permits for the discharge of pollutants. Section 402(p)(2) specifically requires permits for the discharge of storm water associated with industrial activity. The definition of ''storm water associated with industrial activity'' was promulgated November 16, 1990 (55 FR 47990) and is found at 40 CFR 122.26(b)(14). Category (x) of the definition is ''construction activity including clearing, grading, and excavation activities except operations that result in the disturbance of less than five acres of total land area which are not part of a larger common plan of development or sale.'' Therefore, EPA is within its statutory and regulatory authority to require NPDES permits for anyone with operational control over a discharge of pollutants in storm water associated with construction activity.

Public Comment and Public Hearings

Several comments were received stating that EPA did not provide enough time for public comment, and should extend the public comment period to allow for more public input to the permit. In response, EPA notes that it has an obligation under 40 CFR 124.10 to give public notice that a draft permit has been prepared. These regulations require EPA to allow at least 30 days for public comment. EPA went beyond these requirements by allowing 60 days for public comment, due to the level of interest in this permit action. The Agency believes that 60 days was an ample amount of time for all interested parties to submit comments. In order to issue final permit by the time the existing general permit expires, or soon thereafter, EPA kept a restrictive schedule and could not extend the public comment period beyond the specified date of August 1, 1997.

One commenter requested a hearing in Austin, Texas to address issues related to that area of the State. EPA has an obligation under 40 CFR 124.12 to hold public hearings upon finding, on the basis of requests, that a significant public interest exists in a draft permit; or at the Director's discretion for instance, whenever such a hearing might clarify issues involved in the permit decision. Many EPA Regions scheduled public hearings in anticipation of significant public interest. A public hearing was held in Dallas, Texas, and public meetings were held in Houston and Dallas, Texas, and Albuquerque, New Mexico. The Agency believes that the public hearing and meetings in Texas provided ample opportunity for comment on issues related to all areas of Texas. EPA further notes that today's final permit does not include construction projects located in the State of Texas. These projects will be covered under a separate general permit which is currently under development.

*Appropriateness of the Permit for Ensuring Protection of Environmental Resources*

Several commenters recommended that various requirements of the permit should be strengthened to provide increased protection of environmental resources. Others commenters were unclear regarding certain requirements and requested clarification. Following below is a discussion of the issues and the Agency's responses:

Performance Standards for Post-Construction Storm Water Management

A commenter objected to the lack of more specific criteria in the permit related to post-construction storm water management. For example, it was recommended that post-construction pollutant loadings not exceed 120% of pre-construction loadings. Other recommendations included a requirement for 80% removal of total suspended solids or that post-development peak discharge flows not exceed pre-development peak flows. It was noted that such requirements already exist in some states. Another recommendation was for in-stream turbidity limits (or removal of fines less than 0.85 mm to the greatest extent possible).

These types of permit requirements were also considered when the Baseline Construction General Permit was originally issued in 1992. However, such conditions were not included in that permit to ensure that adequate flexibility was provided considering the large number of States and the variety of geographic areas covered by the permit. EPA continues to believe that adequate flexibility needs to be provided and has not included the types of conditions recommended by the commenter. With regards to the proposed turbidity limits, Part III.D of the permit requires compliance with State water quality standards which should ensure protection of receiving waters.

The commenter also recommended that Part IV.D.2.b.(2) of the draft permit be revised to require velocity dissipation devices at outfalls which genuinely provide non-erosive discharge velocities rather than devices which are ineffective and merely installed for this purpose. EPA agrees that the commenter's recommendation would strengthen and improve the clarity of the permit. The final permit was revised to require velocity dissipation devices which actually provide non-erosive discharge velocities rather than merely installing devices designed for that purpose but are ineffective.

Retaining Sediment and Implementing Permit Requirements to the Maximum Extent Practicable

A commenter noted that Part IV.D.2.a.(1)(a) of the draft permit had included as a goal the retention of sediment on-site to the maximum extent practicable. The commenter recommended that the permit should require that all components of the SWPPP to be implemented to the maximum extent practicable level. The commenter also argued that the objective of retaining sediment on-site is too weak. More specifics should be provided such as retention of sediment via site planning, phasing and other control measures.

EPA disagrees that the term ''maximum extent practicable'' is necessarily appropriate in conjunction with all other components of the SWPPP. The term was included in Part IV.D.2.a.(1)(a) of the draft permit to provide guidance regarding the overall goal of retention of sediments on the construction site. EPA believes that the existing language elsewhere in the permit appropriately describes the level of effort which is expected for other SWPPP components. EPA is also concerned that the use of the term ''maximum extent practicable'' in Part IV.D.2.a.(1)(a) of the construction permit may result in confusion since this is the technology-based level of control required by the Clean Water Act for pollutants discharged in storm water from municipal separate storm sewer systems. To avoid potential confusion, the final construction storm water permit uses the term ''extent practicable'' in Part IV.D.2.a.(1)(a).

EPA also disagrees that specific control measures need to be included in Part IV.D.2.a.(1)(a) of the permit. The purpose of this section of the permit is only to set forth the overall objectives for sediment and erosion control. The permit also includes more specific control measures which are found elsewhere in the permit.

Excluding Coverage Based on Water Quality Concerns of Local Officials

Part I.B.3.d of the draft general permit excludes from coverage discharges which the Director (EPA) determines will cause, or have the reasonable potential to cause excursions above water quality standards. A commenter recommended that the permit be modified to provide that this determination could also be made by local officials who might be more familiar with the discharges than EPA.

EPA believes that the concerns of the commenter can be adequately accommodated by the permit. In situations where a local official believes coverage under the general permit is inappropriate, the official may petition EPA to require an individual permit application. As such, the recommendation of the commenter was not included in the final permit.

Legal Action for Late NOIs

Part II.A.5 of the draft permit (Part II.A.4 of the final permit) notes that the Agency may take enforcement action for unpermitted activities for dischargers who submit late NOIs. A commenter recommended that this section mention that such actions may also be initiated by other parties such as States or private citizens.

While it is true that legal actions may be initiated by interested parties such as private citizens for unpermitted activities, EPA does not believe that this needs to be pointed out in the permit. As such, the final permit was not modified to include this recommendation.

Protection of Habitat for Species in the Receiving Waters

A commenter expressed concern regarding the potential of construction projects to alter existing flow characteristics of the receiving waters and degrade the habitat of aquatic species such as fish in the process. The commenter argued that such degradation is not allowed by antidegradation policy and should not be allowed by the permit.

In response to this concern, Part III.D of the draft general permit requires compliance with water quality standards. Also, an antidegradation policy consistent with 40 CFR 131.12 is required to be part of water quality standards. As such, the permit requires that any degradation of receiving waters caused by the discharges must be consistent with antidegradation requirements. Further, Part I.B.3.d of the general permit excludes from coverage discharges from construction sites with a reasonable potential to cause or contribute to violations of water quality standards. Coverage under an individual permit, or an alternate general permit would be required for discharges not authorized by the general permit in question here. The individual permit or alternate general permit could include specific requirements to address the concerns of the commenter regarding the implications of the discharge from a particular project for the receiving waters. EPA believes that these procedures and requirements appropriately address the concerns of the commenter and has not included additional conditions in response to the comment.

The commenter also recommended that the general permit application (i.e., the NOI form) should be modified to require the submittal of certain additional information and analyses for projects with the potential to degrade habitat as discussed above. EPA believes, however, for ease of use and the cost of information collection, the information requirements of the NOI form should be kept to a minimum and that the commenter's concern is best addressed through individual, or alternate general permitting. As such, the NOI form was not modified in response to this comment.

Site Data Requirements for the SWPPP

A commenter recommended that Part IV.D.1.d of the draft permit be modified to require certain additional site data for the SWPPP. The draft permit had only required existing soil data, which the commenter believed was inadequate because existing data may not be available in some cases. In addition, the commenter recommended that the permit require slope information and a comparison of pre-development and post-development runoff coefficients.

In response to the first comment, EPA has deleted the word ''existing'' from the final permit in relation to the soil data. Soil data will already exist for the vast majority of construction projects and lack of existing data will rarely be a problem. However, EPA agrees that soil data are important in developing an appropriate SWPPP and that if existing data are not available, the permittee must obtain sufficient data to develop an appropriate SWPPP by other means.

With regards to slope information at the construction site, EPA believes that the draft permit already requires adequate descriptive information. The final permit, though, does require an estimate of the pre-construction and post-construction runoff coefficients as recommended by the commenter. This information will help in assessing the potential hydrological impacts of a particular project.

Maintenance of Structural Storm Water Controls

A commenter expressed concern that the permit does not require maintenance for structural controls which may be included in a new development for storm water pollution control after the development has been completed. Another commenter recommended that the permit at least urge permittees to consider long term maintenance of the controls.

EPA believes that permittees operating under the general construction permit should not be responsible for the longer term maintenance of structural BMPs. The permit is intended to apply to discharges described at 40 CFR 122.26(b)(14)(x) which applies to discharges from construction activity only. However, the final fact sheet was modified to include in the discussion of structural controls a recommendation that permittees consider longer term maintenance in the selection of their controls. The permit itself also notes that discharges from the structural controls may be subject to other municipal or industrial storm water permits which could address the maintenance of the controls. EPA strongly recommends that arrangements be made for the long-term maintenance of BMPs to control storm water discharges.

Contouring and Sensitive Area Protection

A commenter recommended that more discussion be included in the fact sheet concerning contouring (matching a development to the lay of the land) and sensitive area protection. More discussion of these issues in the fact sheet would increase awareness among developers of these issues and their importance. EPA agrees that a discussion of these issues would be beneficial and has included such a discussion in the final fact sheet.

Phasing Activities at Construction Sites

A commenter contended that phasing of construction activities for a given project is a particularly important BMP which should be required by the permit (at least for sites greater than 10 acres in size) and discussed in more detail in the fact sheet to emphasize its importance.

While EPA agrees with the commenter on the importance of phasing, the Agency disagrees that it should necessarily be required for all projects. The general permit applies to a wide variety of projects in many different geographic locations, and specific requirements for phasing may not be appropriate or provide adequate flexibility in some cases. However, as recommended by the commenter, additional discussion of phasing was added to the final fact sheet. When individual SWPPPs are evaluated pursuant to Part IV.B of the permit, phasing could be required as appropriate for individual construction projects.

Requirements for Minimum Control Measures

A commenter recommended that the permit should include certain minimum requirements for controls. For example, in developing SWPPPs permittees should be required to select some minimum number of controls from a menu which would be provided.

EPA has provided a menu of potential control measures from which permittees may select appropriate controls for their projects. These controls (which are not necessarily an exhaustive list) are found in Parts IV.D.2 and 3 of the permit and are also elaborated on in the fact sheet. However, EPA disagrees that the permit should require some minimum number of controls for each project. As mentioned earlier, adequate flexibility must be provided given the wide variety of projects and geographic areas which are covered by the general permit. SWPPPs must nevertheless include an adequate number of BMPs to comply with the requirements of the permit.

Controls for Construction Debris and Chemicals

A commenter noted that Part IV.D.2.a(1)(e) of the draft permit requires control measures for litter, construction debris and chemicals at a site, but then suggests screening as a potential method for control. The commenter argued that screening would be inappropriate as a control measure for construction chemicals and that other measures should be required. In addition, the commenter recommended continuous litter removal rather than daily removal as suggested.

Part IV.D.2.a(1)(e) suggests control measures for these types of pollutants but does not indicate that the suggestions are the only measures which should be considered. In addition, Part IV.D.2.c of the permit requires a narrative description of practices to reduce pollutants from construction related materials. As such, EPA believes that the permit addresses the concerns of the commenter. Further, the suggestion in Part IV.D.2.a(1)(e) for daily pick-up of litter and debris is only a suggestion; if more frequent pick-up is needed for adequate control of pollutants, then it should be included in the SWPPP.

Another commenter objected to the requirement in Part IV.D.2.c for an inventory of construction materials noting that the materials may not be known at the time the initial SWPPP is prepared. EPA believes that this is a valid concern, and the final permit was modified to require a description of construction materials expected to be stored on-site with updates to the description as appropriate.

Inspection of Inaccessible Discharge Locations

A commenter objected to the provision in Part IV.D.4.a of the draft permit which only requires inspections of discharge locations which are accessible. If a discharge location is inaccessible, the commenter recommended that the nearest possible downstream location be inspected.

The provision exempting inspections of inaccessible discharge locations was included in the permit to ensure the safety of construction site personnel. However, in response to the commenter's concern, the final permit includes a requirement for downstream inspections to assess the impacts of the discharges to the extent that such inspections are practicable.

Miscellaneous Issues

Several miscellaneous comments were also received which relate to the issue of the level of environmental protection provided by the permit. For example, a commenter supported a strong enforcement program to accompany the permit and EPA would agree that enforcement is a critical element of the program which we are also implementing to the maximum extent which the Agency's resources allow. A commenter also supported Part IV.D.2 of the draft permit which requires that the SWPPP identify the permittees which are responsible for implementation of each control measure. In addition, this commenter supported the requirement in Part IV.D.4.b of the permit which requires revisions of SWPPPs within 7 days if an inspection indicates that the revisions are necessary. EPA agrees with the commenter on these issues and has retained the requirements in the final permit.

A commenter noted a discrepancy between Part IV.D.2.a.(3) of the draft permit and the corresponding discussion in section IV.G.5.b.(iii) of the draft fact sheet. Part IV.D.2.a.(3) of the permit requires controls to the degree attainable, while the fact sheet states and that controls are required to the degree economically attainable. The commenter objected to the inclusion of economic considerations. The commenter also recommended that ''degree attainable'' should be replaced by ''greatest degree attainable.'' For consistency and in response to this comment, EPA has revised the final fact sheet by replacing the term ''degree economically attainable'' with ''degree attainable.'' However, EPA believes the words ''degree attainable'' are suitable for describing the level of effort which is required and has not included the word ''greatest'' as recommended by the commenter.

This commenter also noted another apparent inconsistency between the draft fact sheet (section IV.G.5.b.(iii) and Part IV.D.2.a.(3)(a) of the draft permit). For drainage locations which serve 10 or more acres for which a sediment basin (providing 3,600 cubic feet per acre drained) is not available, the fact sheet indicates that at a minimum silt fences or the equivalent are required. The permit, however, indicates that silt fences, vegetative buffer strips or the equivalent are required. The commenter argued that silt fences are often ineffective and should not be cited as some sort of standard. In addition, the commenter recommended that any alternative to a sediment basin should genuinely be the equivalent of a sediment basin.

For consistency between the final fact sheet and permit, EPA has modified the final fact sheet to include vegetative buffer strips as well as silt fences. Reference to vegetative buffer strips was inadvertently omitted from the draft fact sheet. However, the permit does not require that the alternate controls necessarily be the equivalent of sediment basins since this may not be attainable. We would point out that the permit does require that smaller basins be used to extent that this is possible.

A commenter also recommended that structural controls should not be placed in wetlands. In response, EPA would note that the placement of structures in wetlands and other waters of the United States is regulated under section 404 of the CWA, rather than the NPDES permit program. However, the fact sheet does recommend that such controls be placed on upland soils to the degree attainable.

A commenter also recommended that emergency plans for erosion protection should be required in SWPPPs when especially heavy rainfall is predicted. EPA, however, believes that the various elements of the permit which address erosion protection already require an appropriate level of overall preparation for the storms which may occur in a given area. Therefore, special requirements for especially heavy rain (when predicted) were not included in the final permit.

A commenter recommended that for clarity, the definition of point source in Part IX of the draft permit should be modified to include swales as a type of discharge conveyance. In response to this comment, EPA would note that the definition of point source which is used in the permit was obtained from NPDES regulations at 40 CFR 122.2 and the Clean Water Act itself in section 502. EPA is not at liberty to modify such fundamental definitions of the NPDES permit program within the context of the issuance of a general permit. Moreover, EPA believes that the existing definition, and previous EPA guidance on this matter (see for example the discussion in the preamble to the storm water application regulations at 55 FR 47996) are sufficient to clearly indicate that swales could be considered point sources.

This commenter also recommended that Part VI.O (Inspection and Entry) of the draft permit be modified to allow entry by any local government official, not just those with responsibility for an MS4. In response to this issue, EPA would point out that Part VI.O originates from NPDES regulations at 40 CFR 122.41(i) which sets forth conditions which must included in all NPDES permits. The wording of the condition has been modified slightly to accommodate the storm water permit (*i.e.*, the MS4 operator would be acting as an authorized representative of the Director) while retaining the intent of the regulations. However, EPA has not modified the condition in accordance with the recommendation of the commenter since ''any local government official'' would not necessarily be considered a representative of the Director.

Municipal Role

Several comments and questions were received pertaining to the role of municipalities in implementing the requirements of the construction general

permit (CGP). In particular, questions were raised regarding municipal responsibilities to inform dischargers of the new permit and its requirements, and also whether municipalities would be responsible for checking off-site storage areas and spill reporting. A commenter also recommended permitting of municipal separate storm sewer systems (MS4s) on a watershed basis to provide better coordination among the various MS4 programs for construction sites within a watershed. Additional recommendations which were received included: (1) NOIs should not be required in MS4s serving a population of 100,000 or more where the equivalent of a storm water pollution prevention plan is already required by municipal ordinances; (2) construction should be exempt from permitting if the municipality requires 100% containment of post-development runoff; and (3) overall permitting should be simplified, and a municipality might serve as a suitable location where a builder could get all required local, State and Federal permits.

With regard to the questions concerning municipal responsibilities for construction projects, the operator of the construction project is primarily responsible for compliance with general permit requirements such as NOI submittal and spill reporting. However, MS4 operators may also have a role depending on the requirements of their MS4 permit. NPDES regulations at 40 CFR 122.26(d)(2)(iv)(D) require that MS4 operators develop a program for controlling pollutants in construction site runoff entering the MS4, including activities such as site inspections and educational activities. As such, MS4 operators may be required to implement the types of activities contemplated by the commenters. However, the specific requirements would be determined by the MS4 permits rather than the construction general permit. Therefore, no changes were made to the permit language regarding MS4 responsibilities.

With regard to the issue of watershed permitting, NPDES regulations already provide the necessary authority for such permitting. The definitions of the terms large MS4 and medium MS4 include any MS4s within a watershed which need to be permitted because of factors such as storm sewer interconnections within a watershed (40 CFR 122.26(b)(4) and (7)). EPA has also supported watershed permitting in a previous document entitled the Watershed Approach Framework (June 1996). In addition, the Urban Wet Weather Flows Federal Advisory Committee, which EPA convened in May 1995, has prepared a draft guidance document specifically for wet weather flows which also encourages permitting on watershed basis.

EPA also considered the three other recommendations related to the municipal role in the regulation of construction site runoff. EPA is considering how to deal with qualifying local programs in Phase II of the Agency's storm water permitting program. A few permitting authorities (*e.g.*, the State of Michigan) have developed programs in which most of the requirements consist of local requirements which are referenced by their permits. However, for the States in which the general permit was proposed, EPA does not have the necessary information at this time to determine whether such an arrangement would be appropriate. If the commenter wishes to explore this matter further, alternate general permits be pursued in particular States or municipalities.

In response to the second recommendation, the CGP is intended to regulate construction site runoff during construction rather than after final stabilization is achieved. As such, containment of post-construction runoff is irrelevant to the question of whether a construction storm water permit is needed.

With regard to the third recommendation, EPA concurs that regulatory agencies should try to simplify permitting whenever possible. Many counties have already developed programs whereby information and forms can be obtained at a single location. The Urban Wet Weather Flows Advisory Committee is also attempting to find practical ways of streamlining the storm water program. However, it is not possible to completely accommodate the recommendation since there are also certain legal constraints which must be observed concerning which agency must actually issue required permits. No changes to the permit were made in response to this issue.

Clarification of the Permit Language

Several commenters felt that it would be difficult for the average permittee to follow the terms of the SWPPP and the permit.

The proposed permit was structured after the 1992 permit (with modifications reflecting new concerns and laws), so there is five years of industry experience in implementing the general terms of the permit. The ease or difficulty of following an SWPPP is dependent on the complexity of the permittee's self-generated plan. However, EPA has revised various portions of the permit, including those related to permittee roles and responsibilities and the SWPPP to improve readability and clarity.

Cost Concerns

Many members of the regulated community (particularly the building industry and utility companies) were concerned with the costs of controlling the quality of storm water discharged from construction sites, and for certifying permit eligibility pursuant to the Endangered Species Act (ESA) and National Historic Preservation Act (NHPA). Residential builders were concerned with the impact permit compliance would have on new home prices. Others commented that EPA failed to recognize the additive nature of the costs of storm water sediment and erosion controls and storm water management measures, and the economic impact they have on small businesses. Permit compliance was quoted to add from $1,000 to over $1,850 to each home's price. A utility company estimated that their compliance cost would be approximately $1,000 per lot, which would need to be passed on to the developers.

EPA recognizes that an investment must be made to ensure erosion and sediment runoff are minimized at construction sites. As explained in the ESA section of this Summary of Response to Comments and Addendum A of the permit, the Agency included evaluation conditions and eligibility restrictions in the permit based on requirements imposed on the EPA under other Federal laws, specifically evaluation and consultation requirements related to the protection of endangered species. As discussed previously, EPA may modify the permit to reflect historic preservation concerns. Enough flexibility exists in the permit so that a permittee can design and implement a storm water pollution prevention plan in an efficient and cost effective manner which will meet the goals of the NPDES program and the Clean Water Act, as well as the eligibility restrictions derived from Agency consultations with other federal agencies pursuant to other federal laws. EPA has also significantly reduced the burden on utility company service line installations by limiting the situations when these activities would require permit coverage. EPA believes that the majority of these activities can be classified as subcontractor-type work which can be more efficiently covered under a site operator's previously prepared SWPPP.

EPA believes that in most cases there is not an onerous burden caused by

cumulative expenditures for storm water controls. Many best management practices are single-installation only and are nominal compared with the overall site-development costs. In addition, some measures such as sod stabilization, pond construction and tree protection add value to the development. While storm water control costs incurred by builders and developers may be passed onto consumers, the consequences of not providing storm water controls is the degradation of streams, lakes and wetlands for purposes such as recreation, fishing and sources of drinking water. This not only upsets an area's ecology and aesthetics, but also ultimately devalues the area and makes it less attractive to investors.

The per-lot cost figures cited by developers for permit compliance were not substantiated or correlated to a lot or development size. Assuming the storm water expenditures were accurate, EPA questions whether they would actually be prohibitive for builders or home purchasers. For instance, in the western United States the median new-home price for the first three quarters of 1997 was $159,500 according to information from the U.S. Census Bureau as supplied by the National Association of Homebuilders. The minimum-sized development triggering NPDES permitting, five acres, might realistically be divided into ten half-acre plots, making the development worth nearly $1.6 million. A $1000 surcharge assessed to a homeowner represents a 0.63% expenditure while $1,850 represents 1.16% expenditure. According to the Economic Analysis of the Proposed Storm Water Phase II Rule, a 5-acre site would require soil and erosion controls costing $6,382 (mean cost in 1997 dollars) and $885 in costs related to NOI submission and SWPPP generation/implementation. The combined total of $7,267 represents only 0.45% of the value of the development to the builder.

Several trade groups, utility companies, and individuals commented that the cumulative cost of permit compliance was high enough that constituted a ''significant regulatory action'' and should trigger review of the permit by the Office of Management and Budget (OMB) under Executive Order 12866. Commenters felt the goal of clean water could be attained with easier, less costly requirements and that more attention should be paid to a cost-benefit analysis.

According to Executive Order 12866, agencies must determine if a regulatory action is ''significant'' and consequently subject to the requirements of the Executive Order. Section 3(e) of the Executive Order defines ''regulatory action'' to mean ''any substantive action by an agency (normally published in the **Federal Register**) that promulgates or is expected to lead to the promulgation of a final rule or regulation, including notices of inquiry, advance notices of proposed rulemaking, and notices of proposed rulemaking.'' As explained in response to comments regarding the Regulatory Flexibility Act, EPA believes that today's general permit is not a ''rule.'' Also noted in that discussion, however, EPA's conclusions on this issue have not been consistent over time. Notwithstanding any historical inconsistency on the legal identity of a general permit, OMB has waived review of general permits under Executive Order 12866 (and its predecessor, Executive Order 12291). OMB has reviewed some of the requirements under the general permit under its information collection review and approval role under the Paperwork Reduction Act.

Notwithstanding EPA's determination that the permits were not subject to formal OMB review, the Agency did evaluate the associated cost impacts. The major costs incurred by permittees are for sediment and erosion controls and for storm water management controls. Typical costs for these control measures are contained in the proposed permit (62 FR 29802-29803) where it is evident that they are nominal in relation to the costs associated with construction projects of five acres or more. It is important to point out that costs for any single project will depend on site-specific considerations and the expertise of permittees in preparing and implementing storm water pollution prevention plans. From some of the comments received it appeared that those commenters either did not fully understand the flexibility built into the permit for selecting the most cost-effective control measures or they simply overlooked opportunities for cost savings.

For example, one commenter estimated a cost based on the assumption that the permit required installation of silt fences on both sides of each residential lot, even though: (1) Silt fencing is but one acceptable perimeter control among a variety of options available under the CGP; (2) perimeter controls between lots may not be necessary when adjacent lots are under construction at the same time; and (3) if a silt fence is needed between adjacent lots, its cost could reasonably be split between the two lots. The commenter should also consider that if an adjoining lot was already stabilized, a vegetative buffer strip might already be in place for that side and could be considered an alternative control measure at no additional cost.

Another factor to be considered regarding the burden the NPDES program imposes is the time and cost savings attainable with a general permit. This is particularly relevant for the endangered species protection requirements which must be completed before a Notice of Intent can be submitted. While surveys and assessments may be necessary in order to certify compliance with the ESA-related eligibility restrictions, the CGP allows permittees to utilize the investigations (and certifications) made by other parties in lieu of performing their own for a particular project area. If the only other option available is an individually drafted, site-specific NPDES permit, endangered species and historic preservation assessments would still need to be completed and the permit application would have to be submitted at least 90 days prior to commencement of construction per 40 CFR 122.21(c). Following application completion and Agency review, the EPA may need to complete potentially time-consuming consultations on endangered species. After completion of such consultations, EPA would need to prepare a draft individual permit and make it available for public notice and comment. The Agency would need to conduct a public hearing if, based on public comments received, there was significant public interest. Finally, the Agency would need to respond to public comments and make a final determination on issuance of the permit. Given the activities listed above and the time associated to complete each one, the time and subsequent cost required to issue an individual permit for a construction project could be significantly greater than that required for obtaining general permit coverage.

## IX. Cost Estimates

The major costs associated with pollution prevention plans for construction activities include the costs of sediment and erosion controls (see Table 1) and the costs of storm water management measures (see Table 2). The CGP provides flexibility in developing controls for construction activities. Typically, most construction sites will employ a variety of the listed sediment and erosion controls and storm water management controls. In general, the larger a site is, the lower the per-acre cost of pollution prevention will be.

TABLE 1.—SEDIMENT AND EROSION CONTROL COSTS

| | |
|---|---|
| Temporary seeding | $1.00 per square foot |
| Permanent seeding | 1.00 per square foot |
| Mulching | 1.25 per square foot |
| Sod stabilization | 4.00 per square foot |
| Vegetative buffer strips | 1.00 per square foot |
| Protection of trees | 30.00 to $200.00 per tree set |
| Earth dikes | 5.50 per linear foot |
| Silt fences | 6.00 per linear foot |
| Drainage swales—grass | 3.00 per square yard |
| Drainage swales—sod | 4.00 per square yard |
| Drainage swales—riprap | 45.00 per square yard |
| Drainage swales—asphalt | 35.00 per square yard |
| Drainage swales—concrete | 65.00 per square yard |
| Check dams—rock | 100 per dam |
| Check dams—covered straw bales | 50 per dam |
| Level spreader—earthen | 4.00 per square yard |
| Level spreader—concrete | 65.00 per square yard |
| Subsurface drain | 2.25 per linear foot |
| Pipe slope drain | 5.00 per linear foot |
| Temporary storm drain diversion | variable |
| Storm drain inlet protection | 300 per inlet |
| Rock outlet protection | 45 per square yard |
| Sediment traps | 500 to $7,000 per trap |
| Temporary sediment basins | 5,000 to $50,000 per basin |
| Sump pit | 500 to $7,000 |
| Entrance stabilization | 1,500 to $5,000 per entrance |
| Entrance wash rack | 2,000 per rack |
| Temporary waterway crossing | 500 to $1,500 |
| Wind breaks | 2.50 per linear foot |

Practices such as sod stabilization and tree protection increase property values and satisfy consumer aesthetic needs.

Sources: ''Means Site Work Cost Data,'' 9th edition, 1990, R.S. Means Company. ''Sediment and Erosion Control, An Inventory of Current Practices,'' prepared by Kamber Engineering for U.S. EPA, April 1990.

TABLE 2.—ANNUALIZED COSTS OF SEVERAL STORM WATER MANAGEMENT OPTIONS FOR CONSTRUCTION SITES

| | Annualized * | Annualized ** |
|---|---|---|
| Wet Ponds | $5,872 | $9,820 |
| Dry Ponds | 3,240 | 5,907 |
| Dry Ponds with Extended Detention | 3,110 | 5,413 |
| Infiltration Trenches | 4,134 | 6,359 |

* Cost for 9-acre developed area.

** Cost for 20-acre developed area.

Estimates based on methodology presented in ''Cost of Urban Runoff Quality Controls,'' Wiegand, C., Schueler, T., Chittenden, W., and Jellick, D., Urban Runoff Quality—Impact and Quality Enhancement Technology, Proceedings of an Engineering Foundation Conference, ASCE, 1986, edited by B. Urbonas and L.A. Roesner.

Costs are presented in 1992 dollars. Annualized costs are based on a 10-year period and 10% discount rate. Estimates include a contingency cost of 25% of the construction cost and operation and maintenance costs of 5% of the construction cost. Land costs are not included.

## X. Regulatory Review (Executive Order 12866)

Under Executive Order 12866, (58 FR 51735 [October 4, 1993]) the Agency must determine whether the regulatory action is ''significant'' and therefore subject to OMB review and the requirements of the Executive Order. The Order defines ''significant regulatory action'' as one that is likely to result in a rule that may have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local or Tribal governments or communities; create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order. It has been determined that this re-issued general permit is not a ''significant regulatory action'' under the terms of Executive Order 12866. EPA has initiated informal OMB review of this general permit, specifically portions involving the information collection requirements under the Paperwork Reduction Act, and will complete a formal review for the Paperwork Reduction Act in the near future.

## XI. Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Pub. L. 104–4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and Tribal governments and the private sector. Under UMRA section 202, EPA generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with ''Federal mandates'' that may result in expenditures to State, local, and Tribal governments, in the aggregate, or to the private sector, of $100 million or more in any one year. Before promulgating an EPA rule for which a written statement is needed, UMRA section 205 generally requires EPA to identify and consider a

reasonable number of regulatory alternatives and adopt the least costly, most cost-effective or least burdensome alternative that achieves the objectives of the rule. The provisions of UMRA section 205 do not apply when they are inconsistent with applicable law. Moreover, UMRA section 205 allows EPA to adopt an alternative other than the least costly, most cost-effective or least burdensome alternative if the Administrator publishes an explanation with the final rule why the alternative was not adopted.

Before EPA establishes any regulatory requirements that may significantly or uniquely affect small governments, including Tribal governments, it must have developed under UMRA section 203 a small government agency plan. The plan must provide for notifying potentially affected small governments, enabling officials of affected small governments to have meaningful and timely input in the development of EPA regulatory proposals with significant Federal intergovernmental mandates, and informing, educating and advising small governments on compliance with the regulatory requirements.

*A. UMRA Section 202 and the Construction General Permit*

UMRA section 202 requires a written statement containing certain assessments, estimates and analyses prior to the promulgation of certain general notices of proposed rulemaking (2 U.S.C. 1532). UMRA section 421(10) defines ''rule'' based on the definition of rule in the Regulatory Flexibility Act. Section 601 of the Regulatory Flexibility Act defines ''rule'' to mean any rule for which an agency publishes a general notice of proposed rulemaking pursuant to section 553 of the Administrative Procedure Act. EPA does not propose to issue NPDES general permits based on APA section 553. Instead, EPA relies on publication of general permits in the **Federal Register** in order to provide ''an opportunity for a hearing'' under CWA section 402(a), 33 U.S.C. section 1342(a). Nonetheless, EPA has evaluated permitting alternatives for regulation of storm water discharges associated with construction activity. The general permit that EPA proposes to re-issue would be virtually the same NPDES general permit for construction that many construction operators have used over the past five years. Furthermore, general permits provide a more cost and time efficient alternative for the regulated community to obtain NPDES permit coverage than that provided through individually drafted permits.

*B. UMRA Section 203 and the Construction General Permit*

Agencies are required to prepare small government agency plans under UMRA section 203 prior to establishing any regulatory requirement that might significantly or uniquely affect small governments. ''Regulatory requirements'' might, for example, include the requirements of these NPDES general permits for discharges associated with construction activity, especially if a municipality sought coverage under one of the general permits. EPA envisions that some municipalities—those with municipal separate storm sewer systems serving a population over 100,000—may elect to seek coverage under these proposed general permits. For many municipalities, however, a permit application is not required until August 7, 2001, for a storm water discharge associated with construction activity where the construction site is owned or operated by a municipality with a population of less than 100,000. (See 40 CFR 122.26(e)(1)(ii)&(g)).

In any event, any such permit requirements would not significantly affect small governments because most State laws already provide for the control of sedimentation and erosion in a similar manner as today's general permit. Permit requirements also would not uniquely affect small governments because compliance with the permit's conditions affects small governments in the same manner as any other entity seeking coverage under the permit. Thus, UMRA section 203 would not apply.

## XII. Paperwork Reduction Act

The information collection requirements in this rule will be submitted for approval to the Office of Management and Budget (OMB) under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* On June 2, 1997, EPA solicited comments on the proposed revision to the current Information Collection Request (ICR) document for this permit (ICR approved OMB; OMB No. 2040–0086, expiration, August 31, 1998) to accommodate the increased information requirements in the new NOI for the construction general permit (62 FR 29826). EPA estimates an increase in the burden associated with filling out the NOI form for the permit due to added requirements under the Endangered Species Act. EPA also anticipates a small increase in the time because of the requirement to submit an NOT upon completion of construction activities.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15. The permit explains that applicants must use the existing NOI form until EPA publishes a **Federal Register** notice announcing OMB approval of the revised NOI form. Applicants must use the revised NOI form after this notice is published.

## XIII. Regulatory Flexibility Act

Under the Regulatory Flexibility Act (RFA), 5 U.S.C. 601 *et seq.*, a Federal agency must prepare an initial regulatory flexibility analysis ''for any proposed rule'' for which the agency ''is required by section 553 of [the Administrative Procedure Act (APA)], or any other law, to publish general notice of proposed rulemaking.'' The RFA exempts from this requirement any rule that the issuing agency certifies ''will not, if promulgated, have a significant economic impact on a substantial number of small entities.''

EPA did not prepare an initial regulatory flexibility analysis (IRFA) for the proposed CGP. (Note that in today's action, EPA is issuing a separate general permit for each jurisdiction where EPA issues permits; *i.e.*, in certain States, Indian Country lands and Federal facilities within certain States. However, for purposes of readability, reference is made to the permits in the singular form such as ''permit'' or ''CGP'' rather than in plural form.) In the notice of the proposed permit, EPA explained its view that issuance of an NPDES general permit is not subject to rulemaking requirements, including the requirement for a general notice of proposed rulemaking, under APA section 553 or any other law, and is thus not subject to the RFA requirement to prepare an IRFA. Nevertheless, in keeping with EPA's policy to consider the impact of its actions on small entities even when it is not legally required to do so, the Agency considered the potential impact of the permit on small entities that would be eligible for coverage under the permit. EPA concluded that the permit, if issued as drafted, would not have a significant impact on a substantial number of small entities. EPA based its conclusion on the fact that the draft permit was largely the same as the current permit and, to the extent it differed, provided dischargers with more flexibility than the current permit allowed.

Some commenters on the proposed CGP disagreed with EPA's conclusions

that NPDES general permits are not subject to rulemaking requirements and that the proposed permit would not have a significant impact on small entities. They asserted that the CGP is subject to rulemaking requirements and thus the RFA, and that the Agency should have prepared an IRFA for the permit.

In light of the comments received, EPA further considered whether NPDES general permits are subject to rulemaking requirements. The Agency reviewed its previous NPDES general permitting actions and related statements in the **Federal Register** or elsewhere. This review suggests that the Agency has generally treated NPDES general permits effectively as rules, though at times it has given contrary indications as to whether these actions are rules or permits. EPA also reviewed again the applicable law, including the CWA, relevant CWA case law and the APA, as well as the Attorney General's Manual on the APA (1947). On the basis of its review, EPA has concluded, as set forth in the proposal, that NPDES general permits are permits under the APA and thus not subject to APA rulemaking requirements or the RFA.

The APA defines two broad, mutually exclusive categories of agency action—''rules'' and ''orders.'' Its definition of ''rule'' encompasses ''an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the organization, procedure, or practice requirements of an agency * * *'' APA section 551(4). Its definition of ''order'' is residual: ''a final disposition * * * of an agency in a matter other than rule making but including licensing.'' APA section 551(6) (emphasis added). The APA defines ''license'' to ''include * * * an agency permit * * *'' APA section 551(8). The APA thus categorizes a permit as an order, which by the APA's definition is not a rule.

Section 553 of the APA establishes ''rule making'' requirements. The APA defines ''rule making'' as ''the agency process for formulating, amending, or repealing a rule.'' APA section 551(5). By its terms, then, section 553 applies only to ''rules'' and not also to ''orders,'' which include permits. As the Attorney General's Manual on the APA explains, ''the entire Act is based upon a dichotomy between rule making and adjudication [the agency process for formulation of an order]'' (p. 14).

The CWA specifies the use of permits for authorizing the discharge of pollutants to waters of the United States. Section 301(a) of the CWA prohibits discharges of pollutants ''[except as in compliance with'' specified sections of the CWA, including section 402. 33 U.S.C. 1311(a). Section 402 of the CWA authorizes EPA ''to issue a permit for the discharge of any pollutant * * *, notwithstanding section [301(a) of the CWA].'' 33 U.S.C. 1342(a). Thus, the only circumstances in which a discharge of pollution may be authorized is where the Agency has issued a permit for the discharge. Courts, recognizing that a permit is the necessary condition-precedent to any lawful discharge, specifically suggested the use of area-wide and general permits as a mechanism for addressing the Agency's need to issue a substantial number of permits. See *NRDC* v. *Train*, 396 F.Supp. 1393, 1402 (D.D.C. 1975); *NRDC* v. *Costle*, 568 F.2d 1369, 1381. (D.C. Cir. 1977). Adopting the courts'' suggestion, EPA has made increasing use of general permits in its CWA regulatory program, particularly for storm water discharges.

In the Agency's view, the fact that an NPDES general permit may apply to a large number of different dischargers does not convert it from a permit into a rule. As noted above, the courts which have faced the issue of how EPA can permit large numbers of discharges under the CWA have suggested use of a general permit, not a rule. Under the APA, the two terms are mutually exclusive. Moreover, an NPDES general permit retains unique characteristics that distinguish a permit from a rule. First, today's NPDES general permit for storm water discharges associated with construction activity is effective only with respect to those dischargers that choose to be bound by the permit. Thus, unlike the typical rule, this NPDES general permit does not impose immediately effective obligations of general applicability. A discharger must choose to be covered by this general permit and so notify EPA. A discharger always retains the option of obtaining its own individual permit. Relatedly, the terms of the NPDES general permit are enforceable only against dischargers that choose to make use of the permit. If a source discharges without authorization of a general or an individual permit, the discharger violates section 301 of the Act for discharging without a permit, not for violating the terms of an NPDES general permit.

Because the CWA and its case law make clear that NPDES permits are the congressionally chosen vehicle for authorizing discharges of pollutants to waters of the United States, the APA's rulemaking requirements are inapplicable to issuance of such permits, including today's general permit. Further, while the CWA requires that NPDES permits be issued only after an opportunity for a hearing, it does not require publication of a general notice of proposed rulemaking. Thus, NPDES permitting is not subject to the requirement to publish a general notice of proposed rulemaking under the APA or any other law. Accordingly, it is not subject to the RFA.

At the same time, the Agency recognizes that the question of the applicability of the APA, and thus the RFA, to the issuance of a general permit is a difficult one, given the fact that a large number of dischargers may choose to use the general permit. Indeed, the point of issuing a general permit is to provide a speedier means of permitting large number of sources and save dischargers and EPA time and effort. Since the Agency hopes that many dischargers will make use of a general permit and since the CWA requires EPA to provide an opportunity for ''a hearing'' prior to issuance of a permit, EPA provides the public with notice of a draft general permit and an opportunity to comment on it. From public comments, EPA learns how to better craft a general permit to make it appropriate for, and acceptable to, the largest number of potential permittees. This same process also provides an opportunity for EPA to consider the potential impact of general permit terms on small entities and how to craft the permit to avoid any undue burden on small entities. This process, however, is voluntary, and does not trigger rulemaking or RFA requirements.

In the case of the CGP being issued today, the Agency has considered and addressed the potential impact of the general permit on small entities in a manner that would meet the requirements of the RFA if it applied. Specifically, EPA has analyzed the potential impact of the general permit on small entities and found that it will not have a significant economic impact on a substantial number of small entities. Like the previous general permit that it replaces (the Baseline Construction General Permit), the permit will make available to many small entities, particularly operators of construction sites, a streamlined process for obtaining authorization to discharge. Of the possible permitting mechanisms available to dischargers subject to the CWA, NPDES general permits are designed to reduce the reporting and monitoring burden associated with NPDES permit authorization, especially for small entities with discharges having comparatively less potential for environmental degradation than

discharges typically regulated under individual NPDES permits. Thus, general permits like the permit at issue here provide small entities with a permitting application option that is much less burdensome than NPDES individual permit applications.

Furthermore, the general permit is virtually identical to its predecessor, the Baseline Construction General Permit, under which many construction operators have operated during the past five years. Moreover, the other new provisions of the permit have been designed to minimize burdens on small entities, including eliminating the requirement that construction site operators require that their contractors and subcontractors sign a standard certification statement agreeing to abide by storm water pollution prevention plan provisions developed for a project. In today's general permit, only the operator(s) of a construction site are required to satisfy certification requirements under the permit. EPA believes this modification from the prior permit should reduce any such adverse economic impacts on both operators and contractors/subcontractors who, in many instances, are small entities. In view of the foregoing, the Regional Administrators find that the final general permit, even if it were a rule, will not have a significant economic impact on a substantial number of small entities.

EPA is committed to issuing general permits that meet the substantive and procedural requirements of the statute authorizing the particular general permit and any other applicable law. The Agency intends to review its use of general permits across EPA programs to ensure that its general permits meet all applicable requirements.

Accordingly, I hereby certify pursuant to the provisions of the Regulatory Flexibility Act, that this permit will not have a significant impact on a substantial number of small entities.

**Authority:** Clean Water Act, 33 U.S.C. 1251 *et seq.*

Dated: January 21, 1998.

**John DeVillars,**

*Regional Administrator, Region I.*

## XIV. Official Signatures

Accordingly, I hereby certify pursuant to the provisions of the Regulatory Flexibility Act, that this permit will not have a significant impact on a substantial number of small entities.

**Authority:** Clean Water Act, 33 U.S.C. 1251 *et seq.*

Dated: January 27, 1998.

**Jeanne M. Fox,**

*Regional Administrator, Region 2.*

Accordingly, I hereby certify pursuant to the provisions of the Regulatory Flexibility Act, that this permit will not have a significant impact on a substantial number of small entities.

**Authority:** Clean Water Act, 33 U.S.C. 1251 *et seq.*

**W. Michael McCabe,**

*Acting Regional Administrator, Region III.*

Accordingly, I hereby certify pursuant to the provisions of the Regulatory Flexibility Act, that this permit will not have a significant impact on a substantial number of small entities.

**Authority:** Clean Water Act, 33 U.S.C. 1251 *et seq.*

Dated: January 16, 1998.

**William W. Rice,**

*Acting Regional Administrator, Region 7.*

Accordingly, I hereby certify pursuant to the provisions of the Regulatory Flexibility Act, that this permit will not have a significant impact on a substantial number of small entities.

**Authority:** Clean Water Act, 33 U.S.C. 1251 *et seq.*

Dated: January 15, 1998.

**William P. Yellowtail,**

*Regional Administrator, Region VIII.*

Accordingly, I hereby certify pursuant to the provisions of the Regulatory Flexibility Act, that this permit will not have a significant impact on a substantial number of small entities.

**Authority:** Clean Water Act, 33 U.S.C. 1251 *et seq.*

Dated: January 29, 1998.

**Felicia Marcus,**

*Regional Administrator, Region 9.*

Accordingly, I hereby certify pursuant to the provisions of the Regulatory Flexibility Act, that this permit will not have a significant impact on a substantial number of small entities.

**Authority:** Clean Water Act, 33 U.S.C. 1251 *et seq.*

Dated: January 20, 1998.

**Chuck Clarke,**

*Regional Administrator, Region 10.*

*Storm Water General Permit for Construction Activities*

Cover Page

Permit No. [See Part I.A.]

Authorization To Discharge Under the National Pollutant Discharge Elimination System

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et. seq.), except as provided in Part I.B.3 of this permit, operators of construction activities located in an area specified in Part I.A. and who submit a Notice of Intent in accordance with Part II, are authorized to discharge pollutants to waters of the United States in accordance with the conditions and requirements set forth herein.

This permit shall become effective on February 17, 1998.

This permit and the authorization to discharge shall expire at midnight, February 17, 2003.

Signed and issued this 20th day of January, 1998.

**Linda M. Murphy,**

*Director, Office of Ecosystem Protection.*

This signature is for the permit conditions in Parts I through IX and for any additional conditions in Part X which apply to facilities located in the corresponding State, Indian Country land, or other area in Region 1.

*Storm Water General Permit for Construction Activities*

Cover Page

Permit No. [See Part I.A.]

Authorization To Discharge Under the National Pollutant Discharge Elimination System

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et. seq.), except as provided in Part I.B.3 of this permit, operators of construction activities located in an area specified in Part I.A. and who submit a Notice of Intent in accordance with Part II, are authorized to discharge pollutants to waters of the United States in accordance with the conditions and requirements set forth herein.

This permit shall become effective on February 17, 1998.

This permit and the authorization to discharge shall expire at midnight, February 17, 2003.

Signed and issued this 22nd day of January, 1998.

**Kathleen C. Callahan,**

*Division of Environmental Planning and Protection Director, Region 2.*

This signature is for the permit conditions in Parts I through IX and for any additional conditions in Part X which apply to facilities located in the corresponding State, Indian Country land, or other area in Region 2.

*Storm Water General Permit for Construction Activities*

Cover Page

Permit No. [See Part I.A.]

Authorization To Discharge Under the National Pollutant Discharge Elimination System

In compliance with the provisions of the Clean Water Act, as amended, (33

U.S.C. 1251 et. seq.), except as provided in Part I.B.3 of this permit, operators of construction activities located in an area specified in Part I.A. and who submit a Notice of Intent in accordance with Part II, are authorized to discharge pollutants to waters of the United States in accordance with the conditions and requirements set forth herein.

This permit shall become effective on February 17, 1998.

This permit and the authorization to discharge shall expire at midnight, February 17, 2003.

Signed and issued this 22nd day of January, 1998.

**Thomas Maslany,**

*Water Management Director.*

This signature is for the permit conditions in Parts I through IX and for any additional conditions in Part X which apply to facilities located in the corresponding State, Indian Country land, or other area in Region 3.

*Storm Water General Permit for Construction Activities*

Cover Page

Permit No. [See Part I.A.]

Authorizatin To Discharge Under the National Pollutant Discharge Elimination System

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et. seq.), except as provided in Part I.B.3 of this permit, operators of construction activities located in an area specified in Part I.A. and who submit a Notice of Intent in accordance with Part II, are authorized to discharge pollutants to waters of the United States in accordance with the conditions and requirements set forth herein.

This permit shall become effective on February 17, 1998.

This permit and the authorization to discharge shall expire at midnight, February 17, 2003.

Signed and issued this 16th day of January, 1998.

U. Gale Hutton,

*Director, Water, Wetlands, and Pesticides Division, U.S. Environmental Protection Agency, Region 7.*

This signature is for the permit conditions in Parts I through IX and for any additional conditions in Part X which apply to facilities located in the corresponding State, Indian Country land, or other area in Region 7.

*Storm Water General Permit for Construction Activities*

Cover Page

Permit No. [See Part I.A.]

Authorizatin To Discharge Under the National Pollutant Discharge Elimination System

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et. seq.), except as provided in Part I.B.3 of this permit, operators of construction activities located in an area specified in Part I.A. and who submit a Notice of Intent in accordance with Part II, are authorized to discharge pollutants to waters of the United States in accordance with the conditions and requirements set forth herein.

This permit shall become effective on February 17, 1998.

This permit and the authorization to discharge shall expire at midnight, February 17, 2003.

Signed and issued this 15th day of January, 1998.

Kerrigan G. Clough,

*Assistant Regional Administrator, Office of Pollution Prevention, State and Tribal Assistance.*

This signature is for the permit conditions in Parts I through IX and for any additional conditions in Part X which apply to facilities located in the corresponding State, Indian Country land, or other area in Region 8.

*Storm Water General Permit for Construction Activities*

Cover Page

Permit No. [See Part I.A.]

Authorizatin To Discharge Under the National Pollutant Discharge Elimination System

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et. seq.), except as provided in Part I.B.3 of this permit, operators of construction activities located in an area specified in Part I.A. and who submit a Notice of Intent in accordance with Part II, are authorized to discharge pollutants to waters of the United States in accordance with the conditions and requirements set forth herein.

This permit shall become effective on February 17, 1998.

This permit and the authorization to discharge shall expire at midnight, February 17, 2003.

Signed and issued this 29th day of January, 1998.

Alexis Strauss,

*Acting Director, Water Division, Region 9.*

This signature is for the permit conditions in Parts I through IX and for any additional conditions in Part X which apply to facilities located in the corresponding State, Indian Country land, or other area in Region 9.

*Storm Water General Permit for Construction Activities*

Cover Page

Permit No. [See part I.A.]

Authorization to Discharge Under the National Pollutant Discharge Elimination System

In accordance with the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et seq.), except as provided in Part I.B.3 of this permit, operators of construction activities located in an area specified in Part I.A. and who submit a Notice of Intent in accordance with Part II, are authorized to discharge pollutants to waters of the United States in accordance with the conditions and requirements set forth herein.

This permit shall become effective on February 17, 1998.

This permit and the authorization to discharge shall expire at midnight, February 17, 2003.

Signed and issued this 20th day of January, 1998.

Philip G. Millam,

*Director, Office of Water, Region 10.*

This signature is for the permit conditions in Parts I through IX and for any additional conditions in Part X which apply to facilities located in the corresponding State, Indian Country land, or other area in Region 10.

## NPDES General Permits for Storm Water Discharges From Construction Activities

### Table of Contents

Part I. Coverage Under this Permit

A. Permit Area
B. Eligibility
C. Obtaining Authorization
D. Terminating Coverage

Part II. Notice of Intent Requirements

A. Deadlines for Notification
B. Contents of Notice of Intent
C. Where to Submit

Part III. Special Conditions, Management Practices, and Other Non-Numeric Limitations

A. Prohibition on Non-Storm Water Discharges
B. Releases in Excess of Reportable Quantities
C. Spills
D. Discharge Compliance with Water Quality Standards
E. Responsibilities of Operators

Part IV. Storm Water Pollution Prevention Plans

A. Deadlines for Plan Preparation and Compliance
B. Signature, Plan Review and Making Plans Available
C. Keeping Plans Current
D. Contents of Plan

Part V. Retention of Records

A. Documents
B. Accessibility
C. Addresses

Part VI. Standard Permit Conditions

A. Duty to Comply
B. Continuation of the Expired General Permit
C. Need to Halt or Reduce Activity not a Defense
D. Duty to Mitigate
E. Duty to Provide Information
F. Other Information
G. Signatory Requirements
H. Penalties for Falsification of Reports
I. Oil and Hazardous Substance Liability
J. Property Rights
K. Severability
L. Requiring an Individual Permit or an Alternative General Permit
M. State/Tribal Environmental Laws
N. Proper Operation and Maintenance
O. Inspection and Entry
P. Permit Actions

Part VII. Reopener Clause

Part VIII. Termination of Coverage

A. Notice of Termination
B. Addresses

Part IX. Definitions

Part X. Permit Conditions Applicable to Specific States, Indian Country Lands, or Territories

Addenda

A. Endangered Species
B. Historic Properties (Reserved)
C. Notice of Intent (NOI) Form
D. Notice of Termination (NOT) Form

## Part I. Coverage Under This Permit

### *A. Permit Area*

The permit language is structured as if it were a single permit, with State, Indian Country land, or other area-specific conditions specified in Part X. Permit coverage is actually provided by legally separate and distinctly numbered permits covering each of the following areas:

Region 1

CTR10*##I: Indian Country lands in the State of Connecticut.

MAR10*###: Commonwealth of Massachusetts, except Indian Country lands.

MAR10*##I: Indian Country lands in the Commonwealth of Massachusetts.

MER10*###: State of Maine, except Indian Country lands.

MER10*##I: Indian Country lands in the State Maine.

NHR10*###: State of New Hampshire.

RIR10*##I: Indian Country lands in the State of Rhode Island.

VTR10*##F: Federal Facilities in the State of Vermont.

Region 2

NYR10*##I: Indian Country lands in the State of New York.

PRR10*###: The Commonwealth of Puerto Rico.

Region 3

DCR10*###: The District of Columbia.

DER10*##F: Federal Facilities in the State of Delaware.

Region 4

Coverate Not Available. Construction activities in Region 4 must obtain permit coverage under an alternative general permit.

Region 5

Coverage Not Available.

Region 6

Coverage Not Available.

Region 7

IAR10*##I: Indian Country lands in the State of Iowa.

KSR10*##I: Indian Country lands in the State of Kansas.

NER10*##I: Indian Country lands in the State of Nebraska, except Pine Ridge Reservation lands (see Region 8).

Region 8

COR10*##F: Federal Facilities in the State of Colorado, except those located on Indian Country lands.

COR10*##I: Indian Country lands in the State of Colorado, including the portion of the Ute Mountain Reservation located in New Mexico.

MTR10*##I: Indian Country lands in the State of Montana.

NDR10*##I: Indian Country lands in the State of North Dakota, including that portion of the Standing Rock Reservation located in South Dakota (except for the Lake Traverse Reservation which is covered under South Dakota permit SDR10*##I listed below).

SDR10*##I: Indian Country lands in the State of South Dakota, including the portion of the Pine Ridge Reservation located in Nebraska and the portion of the Lake Traverse Reservation located in North Dakota (except for the Standing Rock Reservation which is covered under North Dakota permit NDR10*##I listed above).

UTR10*##I: Indian Country lands in the State of Utah, except Goshute and Navajo Reservation lands (see Region 9).

WYR10*##I: Indian Country lands in the State of Wyoming.

Region 9

ASR10*###: The Island of American Samoa.

AZR10*###: The State of Arizona, except Indian Country lands.

AZR10*##I: Indian Country lands in the State of Arizona, including Navajo Reservation lands in New Mexico and Utah.

CAR10*##I: Indian Country lands in the State of California.

GUR10*###: The Island of Guam.

JAR10*###: Johnston Atoll.

MWR10*###: Midway Island and Wake Island.

NIR10*###: Commonwealth of the Northern Mariana Islands.

NVR10*##I: Indian Country lands in the State of Nevada, including the Duck Valley Reservation in Idaho, the Fort McDermitt Reservation in Oregon and the Goshute Reservation in Utah.

Region 10

AKR10*###: The State of Alaska, except Indian Country lands.

AKR10*##I: Indian Country lands in Alaska.

IDR10*###: The State of Idaho, except Indian Country lands.

IDR10*##I: Indian Country lands in the State of Idaho, except Duck Valley Reservation lands (see Region 9).

ORR10*##I: Indian Country lands in the State of Oregon except Fort McDermitt Reservation lands (see Region 9).

WAR10*##F: Federal Facilities in the State of Washington, except those located on Indian Country lands.

WAR10*##I: Indian Country lands in the State of Washington.

### *B. Eligibility*

1. Permittees are authorized to discharge pollutants in storm water runoff associated with construction activities as defined in 40 CFR 122.26(b)(14)(x) and those construction site discharges designated by the Director as needing a storm water permit under 122.26(a)(1)(v) or under 122.26(a)(9) and 122.26(g)(1)(i). Discharges identified under Part I.B.3 are excluded from coverage. Any discharge authorized by a different NPDES permit may be commingled with discharges authorized by this permit.

2. This permit also authorizes storm water discharges from support activities (*e.g.*, concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, borrow areas) provided:

a. The support activity is directly related to a construction site that is required to have NPDES permit coverage for discharges of storm water associated with construction activity;

b. The support activity is not a commercial operation serving multiple unrelated construction projects by different operators, and does not operate beyond the completion of the

construction activity at the last construction project it supports; and

c. Appropriate controls and measures are identified in a storm water pollution prevention plan covering the discharges from the support activity areas.

3. Limitations on Coverage. A. *Post Construction Discharges.* This permit does not authorize storm water discharges that originate from the site after construction activities have been completed and the site, including any temporary support activity site, has undergone final stabilization. Industrial post-construction storm water discharges may need to be covered by a separate NPDES permit.

B. *Discharges Mixed With Non-Storm Water.* This permit does not authorize discharges that are mixed with sources of non-storm water, other than those discharges which are identified in Part II.A.2. or 3. (exceptions to prohibition on non-storm water discharges) and are in compliance with Part IV.D.5 (non-storm water discharges).

C. *Discharges Covered by Another Permit.* This permit does not authorize storm water discharges associated with construction activity that have been covered under an individual permit or required to obtain coverage under an alternative general permit in accordance with Part VI.L.

d. *Discharges Threatening Water Quality.* This permit does not authorize storm water discharges from construction sites that the Director (EPA) determines will cause, or have reasonable potential to cause or contribute to, violations of water quality standards. Where such determinations have been made, the Director may notify the operator(s) that an individual permit application is necessary in accordance with Part VI.L. However, the Director may authorize coverage under this permit after appropriate controls and implementation procedures designed to bring the discharges into compliance with water quality standards has been included in the storm water pollution prevention plan;

e. *Storm water discharges and storm water discharge-related activities that are not protective of Federally listed endangered and threatened (''listed'') species or designated critical habitat (''critical habitat'').*

(1) For the purposes of complying with the Part I.B.3.e. eligibility requirements, ''storm water discharge-related activities'' include:

(a) Activities which cause, contribute to, or result in point source storm water pollutant discharges, including but not limited to: excavation, site development, grading and other surface disturbance activities; and

(b) Measures to control storm water including the siting, construction and operation of best management practices (BMPs) to control, reduce or prevent storm water pollution.

(2) Coverage under this permit is available only if the applicant certifies that it meets at least one of the criteria in paragraphs (a)–(d) below. Failure to continue to meet one of these criteria during the term of the permit will render a permittee ineligible for coverage under this permit.

(a) The storm water discharges and storm water discharge-related activities are not likely to adversely affect listed species or critical habitat; or

(b) Formal or informal consultation with the Fish and Wildlife Service and/or the National Marine Fisheries Service (the ''Services'') under section 7 of the Endangered Species Act (ESA) has been concluded which addresses the effects of the applicant's storm water discharges and storm water discharge-related activities on listed species and critical habitat and the consultation results in either a no jeopardy opinion or a written concurrence by the Service(s) on a finding that the applicant's storm water discharges and storm water discharge-related activities are not likely to adversely affect listed species or critical habitat. A section 7 consultation may occur in the context of another Federal action (*e.g.*, a ESA section 7 consultation was performed for issuance of a wetlands dredge and fill permit for the project, or as part of a National Environmental Policy Act (NEPA) review); or

(c) The applicant's construction activities are authorized under section 10 of the ESA and that authorization addresses the effects of the applicant's storm water discharges and storm water discharge-related activities on listed species and critical habitat; or

(d) The applicant's storm water discharges and storm water discharge-related activities were already addressed in another operator's certification of eligibility under Part I.B.3.e.(2)(a), (b), or (c) which included the applicant's project area. By certifying eligibility under Part I.B.3.e.(2)(d), the applicant agrees to comply with any measures or controls upon which the other operator's certification under Part I.B.3.e.(2)(a), (b) or (c) was based.

(3) All applicants must follow the procedures provided at Addendum A of this permit when applying for permit coverage.

(4) The applicant must comply with any applicable terms, conditions or other requirements developed in the process of meeting eligibility requirements of Part I.B.3.e.(2)(a), (b), (c), or (d) above to remain eligible for coverage under this permit. Such terms and conditions must be incorporated in the applicant's storm water pollution prevention plan.

(5) Applicants who choose to conduct informal consultation to meet the eligibility requirements of Part I.B.3.e.(2)(b) are automatically designated as non-Federal representatives under this permit. *See* 50 CFR 402.08. Applicants who choose to conduct informal consultation as a non-Federal representatives must notify EPA and the appropriate Service office in writing of that decision.

(6) This permit does not authorize any storm water discharges where the discharges or storm water discharge-related activities cause prohibited ''take'' (as defined under section 3 of the Endangered Species Act and 50 CFR 17.3) of endangered or threatened species unless such takes are authorized under section 7 or 10 of the Endangered Species Act.

(7) This permit does not authorize any storm water discharges where the discharges or storm water discharge-related activities are likely to jeopardize the continued existence of any species that are listed or proposed to be listed as endangered or threatened under the ESA or result in the adverse modification or destruction of habitat that is designated or proposed to be designated as critical under the ESA.

f. *Storm Water Discharges and Storm Water Discharge-Related Activities with Unconsidered Adverse Effects on Historic Properties.* (Reserved)

*C. Obtaining Authorization*

1. In order for storm water discharges from construction activities to be authorized under this general permit, an operator must:

a. Meet the Part I.B. eligibility requirements;

b. Except as provided in Parts II.A.5 and II.A.6, develop a storm water pollution prevention plan (SWPPP) covering either the entire site or all portions of the site for which they are operators (see definition in Part IX.N) according to the requirements in Part IV. A ''joint'' SWPPP may be developed and implemented as a cooperative effort where there is more than one operator at a site; and

c. Submit a Notice of Intent (NOI) in accordance with the requirements of Part II, using an NOI form provided by the Director (or a photocopy thereof). Only one NOI need be submitted to cover all of the permittee's activities on the common plan of development or sale (*e.g.*, you do not need to submit a separate NOI for each separate lot in a

residential subdivision or for two separate buildings being constructed at a manufacturing facility, provided your SWPPP covers each area for which you are an operator). The SWPPP must be implemented upon commencement of construction activities.

2. Any new operator on site, including those who replace an operator who has previously obtained permit coverage, must submit an NOI to obtain permit coverage.

3. Unless notified by the Director to the contrary, operators who submit a correctly completed NOI in accordance with the requirements of this permit are authorized to discharge storm water from construction activities under the terms and conditions of this permit two (2) days after the date that the NOI is postmarked. The Director may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI or other information (see Part VI.L).

*D. Terminating Coverage*

1. Permittees wishing to terminate coverage under this permit must submit a Notice of Termination (NOT) in accordance with part VIII of this permit. Compliance with this permit is required until an NOT is submitted. The permittee's authorization to discharge under this permit terminates at midnight of the day the NOT is signed.

2. All permittees must submit an NOT within thirty (30) days after one or more of the following conditions have been met:

a. Final stabilization (see definition Part IX.I) has been achieved on all portions of the site for which the permittee is responsible (including if applicable, returning agricultural land to its pre-construction agricultural use);

b. Another operator/permittee has assumed control according to Part VI.G.2.c. over all areas of the site that have not been finally stabilized; or

c. For residential construction only, temporary stabilization has been completed and the residence has been transferred to the homeowner.

Enforcement actions may be taken if a permittee submits an NOT without meeting one or more of these conditions.

**Part II. Notice of Intent Requirements**

*A. Deadlines for Notification*

1. Except as provided in Part II.A.3, II.A.4, II.A.5 or II.A.6 below, parties defined as operators (see definition in Part IX.N) due to their operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications, must submit a Notice of Intent (NOI) in accordance with the requirements of this Part at least two (2) days prior to the commencement of construction activities (*i.e.*, the initial disturbance of soils associated with clearing, grading, excavation activities, or other construction activities).

2. Except as provided in parts II.A.3, II.A.4, II.A.5 of II.A.6 below, parties defined as operators (see definition in Part IX.N) due to their day-to-day operational control over activities at a project which are necessary to ensure compliance with a storm water pollution prevention plan or other permit conditions (*e.g.*, general contractor, erosion control contractor) must submit an NOI at least two (2) days prior to commencing work on-site.

3. For storm water discharges from construction projects where the operator changes, including instances where an operator is added after an NOI has been submitted under Parts II.A.1 or II. A.2, the new operator must submit an NOI at least two (2) days before assuming operational control over site specifications or commencing work on-site.

4. Operators are not prohibited from submitting late NOIs. When a late NOI is submitted, authorization is only for discharges that occur after permit coverage is granted. The Agency reserves the right to take appropriate enforcement for any unpermitted activities that may have occurred between the time construction commenced and authorization of future discharges is granted (typically 2 days after a complete NOI is submitted).

5. Operators of on-going construction projects as of the effective date of this permit which received authorization to discharge for these projects under the 1992 baseline construction general permit must:

a. Submit a NOI according to Part II.B. within 90 days of the effective date of this permit. If the permittee is eligible to submit a Notice of Termination (*e.g.*, construction is finished and final stabilization has been achieved) before the 90th day, a new NOI is not required to be submitted;

b. For the first 90 days from the effective date of this permit, comply with the terms and conditions of the 1992 baseline construction general permit they were previously authorized under; and

c. Update their storm water pollution prevention plan to comply with the requirements of Part IV within 90 days after the effective date of this permit.

6. Operators of on-going construction projects as of the effective date of this permit which did *not* receive authorization to discharge for these projects under the 1992 baseline construction general permit must:

a. Prepare and comply with an interim storm water pollution prevention plan in accordance with the 1992 baseline construction general permit prior to submitting an NOI;

b. Submit a NOI according to Part II.B; and

c. Update their storm water pollution prevention plan to comply with the requirements of Part IV within 90 days after the effective date of this permit.

*B. Contents of Notice of Intent (NOI)*

1. Interim Use of Existing NOI Form

Until the revised NOI form is published as final in the **Federal Register**, operators must use EPA's existing NOI form [EPA Form 3510–6 (8–98)] to apply for permit coverage.

**Note:** The revised NOI form is pending approval by the U.S. Office of Management and Budget as of the effective date of this permit.

When using the existing NOI form, operators should only submit information that was required for parties under the baseline construction general permit. However, by completing and signing the existing NOI form to obtain permit coverage, operators are certifying that they meet all applicable eligibility requirements of Part I.B of today's permit and an informing the Director of their intent to be covered by, and comply with, the terms and conditions of this permit. When the revised NOI form is available (through final publication in the **Federal Register**), the existing NOI form will no longer be accepted for permit coverage.

2. Use of Revised NOI Form

The revised NOI form shall be signed in accordance with Part VI.G of this permit and shall include the following information:

a. The name, address, and telephone number of the operator filing the NOI for permit coverage;

b. An indication of whether the operator is a Federal, State, Tribal, private, or other public entity;

c. The name (or other identifier), address, county, and latitude/longitude of the construction project or site;

d. An indication of whether the project or site is located on Indian Country lands;

e. Confirmation that a storm water pollution prevention plan (SWPPP) has been developed or will be developed prior to commencing construction activities, and that the SWPPP will be compliant with any applicable local

sediment and erosion control plans. Copies of SWPPPs or permits should *not* be included with the NOI submission;

f. Optional information: the location where the SWPPP may be viewed and the name and telephone number of a contact person for scheduling viewing times;

g. The name of the receiving water(s);

h. Estimates of project start and completion dates, and estimates of the number of acres of the site on which soil will be distributed (if less than 1 acre, enter ''1'');

i. Based on the instructions in Addendum A, whether any listed or proposed threatened or endangered species, or designated critical habitat, are in proximity to the storm water discharges or storm water discharge-related activities to be covered by this permit;

j. Under which section(s) of Part I.B.3.e (Endangered Species) the applicant is certifying eligibility; and

Note that as of the effective date of this permit, reporting of information relating to the preservation of historic properties has been reserved and is not required at this time. Such reservation in no way relieves applicants or permittees from any otherwise applicable obligations or liabilities related to historic preservation under State, Tribal or local law. After further discussions between EPA and the Advisory Council on Historic Preservation, the Agency may modify the permit. Any such modification may affect future Notice of Intent reporting requirements.

*C. Where To Submit*

1. NOIs must be signed in accordance with Part VI.G. and sent to the following address: Storm Water Notice of Intent (4203), US EPA, 401 M. Street, SW, Washington, D.C. 20460.

**Part III. Special Conditions, Management Practices, and Other Non-Numeric Limitations**

*A. Prohibition Non-Storm Water Discharges*

1. Except as provided in Parts I.B.2 or 3 and III.A.2 or 3, all discharges covered by this permit shall be composed entirely of storm water associated with construction activity.

2. Discharges of material other than storm water that are in compliance with an NPDES permit (other than this permit) issued for that discharge may be discharged or mixed with discharges authorized by this permit.

3. The following non-storm water discharges from active construction sites are authorized by this permit provided the non-storm water component of the discharge is in compliance with Part IV.D.5 (non-storm water discharges): discharges from fire fighting activities; fire hydrant flushings; waters used to wash vehicles where detergents are not used; water used to control dust in accordance with Part IV.D.2.c.(2); potable water sources including waterline flushings; routine external building wash down which does not use detergents; pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used; air conditioning concentrate; uncontaminated ground water or spring water; and foundation or footing drains where flows are not contaminated with process materials such as solvents.

*B. Releases in Excess of Reportable Quantities*

The discharge of hazardous substances or oil in the storm water discharge(s) from a facility shall be prevented or minimized in accordance with the applicable storm water pollution prevention plan for the facility. This permit does not relieve the permittee of the reporting requirements of 40 CFR 110, 40 CFR 117 and 40 CFR 302. Where a release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quality established under either 40 CFR 110, 40 CFR 117 or 40 CFR 302, occurs during a 24 hour period.

1. The permittee is required to notify the National Response Center (NRC) (800–424–8802; in the Washington, DC, metropolitan area call 202–426–2675) in accordance with the requirements of 40 CFR 110, 40 CFR 117 and 40 CFR 302 as soon as he or she has knowledge of the discharge;

2. The storm water pollution prevention plan required under Part IV of this permit must be modified within 14 calendar days of knowledge of the release to: provide a description of the release, the circumstances leading to the release, and the date of the release. In addition, the plan must be reviewed to identify measures to prevent the reoccurrence of such releases and to respond to such releases, and the plan must be modified where appropriate.

*C. Spills*

This permit does not authorize the discharge of hazardous substances or oil resulting from an on-site spill.

*D. Discharge Compliance With Water Quality Standards*

Operators seeking coverage under this permit shall not be causing or have the reasonable potential to cause or contribute to a violation of a water quality standard. Where a discharge is already authorized under this permit and is later determined to cause or have the reasonable potential to cause or contribute to the violation of an applicable water quality standard, the Director will notify the operator of such violation(s). The permittee shall take all necessary actions to ensure future discharges do not cause or contribute to the violation of a water quality standard and document these actions in the storm water pollution prevention plan. If violations remain or re-occur, then coverage under this permit may be terminated by the Director, and an alternative general permit or individual permit may be issued. Compliance with this requirement does not preclude any enforcement activity as provided by the Clean Water Act for the underlying violation.

*E. Responsibilities of Operators*

Permittees may meet one or both of the operational control components in the definition of ''operator'' found in Part IX.N. Either Parts III.E.1 or III.E.2 or both will apply depending on the type of operational control exerted by an individual permittee. Part III.E.3 applies to all permittees.

1. Permittees with operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications (*e.g.*, developer or owner), must:

a. Ensure the project specifications that they develop meet the minimum requirements of Part IV (Storm Water Pollution Prevention Plans (SWPPP)) and all other applicable conditions;

b. Ensure that the SWPPP indicates the areas of the project where they have operational control over project specifications (including the ability to make modifications in specifications), and ensure all other permittees implementing portions of the SWPPP impacted by any changes they make to the plan are notified of such modifications in a timely manner; and

c. Ensure that the SWPPP for portions of the project where they are operators indicates the name and NPDES permit number for parties with day-to-day operational control of those activities necessary to ensure compliance with the SWPPP or other permit conditions. If these parties have not been identified at the time the SWPPP is initially developed, the permittee with operational control over project specifications shall be considered to be the responsible party until such time as the authority is transferred to another party (*e.g.*, general contractor) and the plan updated.

2. Permittee(s) with day-to-day operational control of those activities at a project which are necessary to ensure compliance with a SWPPP for the site or other permit conditions (*e.g*, general contractor) must:

a. Ensure that the SWPPP for portions of the project where they are operators meets the minimum requirements of Part IV (Storm Water Pollution Plan) and identifies the parties responsible for implementation of control measures identified in the plan;

b. Ensure that the SWPPP indicates areas of the project where they have operational control over day-to-day activities;

c. Ensure that the SWPPP for portions of the project where they are operators indicates the name and NPDES permit number of the party(ies) with operational control over project specifications (including the ability to make modifications in specifications).

3. Permittees with operational control over only a portion of a larger construction project (*e.g.*, one of four homebuilders in a subdivision) are responsible for compliance with all applicable terms and conditions of this permit as it relates to their activities on their portion of the construction site, including protection of endangered species and implementation of BMPs and other controls required by the SWPPP. Permittees shall ensure either directly or through coordination with other permittees, that their activities do not render another party's pollution control ineffective. Permittees must either implement their portions of a common SWPPP or develop and implement their own SWPPP.

**Part IV. Storm Water Pollution Prevention Plans**

At least one storm water pollution prevention plan (SWPPP) shall be developed for each construction project or site covered by this permit. For more effective coordination of BMPs and opportunities for cost sharing, a cooperative effort by the different operators at a site to prepare and participate in a comprehensive SWPPP is encouraged. Individual operators at a site may, but are not required, to develop separate SWPPPs that cover only their portion of the project provided reference is made to other operators at the site. In instances where there is more than one SWPPP for a site, coordination must be conducted between the permittees to ensure the storm water discharge controls and other measures are consistent with one another (*e.g.*, provisions to protect listed species and critical habitat).

Storm water pollution prevention plans shall be prepared in accordance with good engineering practices. The SWPPP shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges from the construction site. The SWPPP shall describe and ensure the implementation of practices which will be used to reduce the pollutants in storm water discharges associated with construction activity at the construction site and assure compliance with the terms and conditions of this permit.

When developing SWPPPs, applicants must follow the procedures in Addendum A of this permit to determine whether listed endangered or threatened species or critical habitat would be affected by the applicant's storm water discharges or storm water discharge-related activities. Any information on whether listed species or critical habitat are found in proximity to the construction site must be included in the SWPPP. Any terms or conditions that are imposed under the eligibility requirements of Part I.B.3.e and Addendum A of this permit to protect listed species or critical habitat from storm water discharges or storm water discharge-related activity must be incorporated into the SWPPP. Permittees must implement the applicable provisions of the SWPPP required under this part as a condition of this permit.

*A. Deadlines for Pan Preparation and Compliance*

The storm water pollution prevention plan shall:

1. Be completed prior to the submittal of an NOI to be covered under this permit (except as provided in Parts II.A.5 and II.A.6) updated as appropriate; and

2. Provide for compliance with the terms and schedule of the SWPPP beginning with the initiation of construction activities.

*B. Signature, Plan Review and Making Plans Available*

1. The SWPPP shall be signed in accordance with Part VI.G, and be retained on-site at the facility which generates the storm water discharge in accordance with Part V (Retention of Records) or this permit.

2. The permittee shall post a notice near the main entrance of the construction site with the following information:

a. The NPDES permit number for the project or a copy of the NOI if a permit number has not yet been assigned;

b. The name and telephone number of a local contact person;

c. A brief description of the project; and

d. The location of the SWPPP if the site is inactive or does not have an on-site location to store the plan.

If posting this information near a main entrance is infeasible due to safety concerns, the notice shall be posted in a local public building. If the construction project is a linear construction project (*e.g.*, pipeline, highway, etc.), the notice must be placed in a publicly accessible location near where construction is actively underway and moved as necessary. This permit does not provide the public with any right to trespass on a construction site for any reason, including inspection of a site; not does this permit require that permittees allow members of the public access to a construction site.

3. The permittee shall make SWPPPs available upon request to the Director, a State, Tribal or local agency approving sediment and erosion plans, grading plans, or storm water management plans, local government officials; or the operator of a municipal separate storm sewer receiving discharges from the site. The copy of the SWPPP that is required to be kept on-site or locally available must be made available to the Director for review at the time of an on-site inspection. Also, in the interest of public involvement, EPA encourages permittees to make their SWPPPs available to the public for viewing during normal business hours.

4. The Director may notify the permittee at any time that the SWPPP does not meet one or more of the minimum requirements of this Part. Such notification shall identify those provision of this permit which are not being met by the SWPPP as well as those requiring modification in order to meet the minimum requirements of this Part. Within seven (7) calendar days of receipt of such notification from the Director (or as otherwise provided by the Director), the permittee shall make the required changes to the SWPPP and shall submit to the Director a written certification that the requested changes have been made. The Director may take appropriate enforcement action for the period of time the permittee was operating under a plan that did not meet the minimum requirements of this permit.

*C. Keeping Plans Current*

The permittee must amend the storm water pollution prevention plan whenever:

1. There is a change in design, construction, operation, or maintenance

which has a significant effect on the discharge of pollutants to the waters of the United States which has not been addressed in the SWPPP; or

2. Inspections or investigations by site operators, local, State, Tribal or Federal officials indicate the SWPPP is proving ineffective in eliminating or significantly minimizing pollutants from sources identified under Part IV.D.1 of this permit, or is otherwise not achieving the general objectives of controlling pollutants in storm water discharges associated with construction activity.

*D. Contents of Plan*

The storm water pollution prevention plan (SWPPP) shall include the following items:

1. Site Description

Each SWPPP shall provide a description of potential pollutant sources and other information as indicated below:

a. A description of the nature of the construction activity;

b. A description of the intended sequence of major activities which disturb soils for major portions of the site (*e.g.*, grubbing, excavation, grading, utilities and infrastructure installation);

c. Estimates of the total area of the site and the total area of the site that is expected to be disturbed by excavation, grading, or other activities including off-site borrow and fill areas;

d. An estimate of the runoff coefficient of the site for both the pre-construction and post-construction conditions and data describing the soil or the quality of any discharge from the site;

e. A general location map (*e.g.*, a portion of a city or county map) and a site map indicating the following: Drainage patterns and approximate slopes anticipated after major grading activities; areas of soil disturbance; areas which will not be disturbed; locations of major structural and nonstructural controls identified in the SWPPP; locations where stabilization practices are expected to occur; locations of off-site material, waste, borrow or equipment storage areas; surface waters (including wetlands); and locations where storm water discharges to a surface water;

f. Location and description of any discharge associated with industrial activity other than construction, including storm water discharges from dedicated asphalt plants and dedicated concrete plants, which is covered by this permit;

g. The name of the receiving water(s) and the areal extent and description of wetlands or other special aquatic sites (as described under 40 CFR 230.3(q–1)) at or near the site which will be disturbed or which will receive discharges from disturbed areas of the project;

h. A copy of the permit requirements (attaching a copy of this permit is acceptable); and

i. Information on whether listed endangered or threatened species, or critical habitat, are found in proximity to the construction activity and whether such species may be affected by the applicant's storm water discharges or storm water discharge-related activities.

2. Controls

Each SWPPP shall include a description of appropriate control measures (*i.e.*, BMPs) that will be implemented as part of the construction activity to control pollutants in storm water discharges. The SWPPP must clearly describe for each major activity identified in Part IV.D.1.b: (a) Appropriate control measures and the general timing (or sequence) during the construction process that the measures will be implemented; and (b) which permittee is responsible for implementation (*e.g.*, perimeter controls for one portion of the site will be installed by Contractor A after the clearing and grubbing necessary for installation of the measure, but before the clearing and grubbing for the remaining portions of the site; and perimeter controls will be actively maintained by Contractor B until final stabilization of those portions of the site up-gradient of the perimeter control; and temporary perimeter controls will be removed by the owner after final stabilization). The description and implementation of control measures shall address the following minimum components;

a. *Erosion and Sediment Controls.* (1) *Short and Long Term Goals and Criteria.* (a) The construction-phase erosion and sediment controls should be designed to retain sediment on site to the extent practicable.

(b) All control measures must be properly selected, installed, and maintained in accordance with the manufacturers specifications and good engineering practices. If periodic inspections or other information indicates a control has been used inappropriately, or incorrectly, the permittee must replace or modify the control for site situations.

(c) If sediment escapes the construction site, off-site accumulations of sediment must be removed at a frequency sufficient to minimize offsite (*e.g.*, fugitive sediment in street could be washed into storm sewers by the next rain and/or pose a safety hazard to users of public streets).

(d) Sediment must be removed from sediment traps or sedimentation ponds when design capacity has been reduced by 50%.

(e) Litter, construction debris, and construction chemicals exposed to storm water shall be prevented from becoming a pollutant source for storm water discharges (*e.g.*, screening outfalls, picked up daily).

(f) Offsite material storage areas (also including overburden and stockpiles of dirt, borrow areas, etc.) used solely by the permitted project are considered a part of the project and shall be addressed in the SWPPP.

(2) *Stabilization Practices.* The SWPPP must include a description of interim and permanent stabilization practices for the site, including a schedule of when the practices will be implemented. Site plans should ensure that existing vegetation is preserved where attainable and that disturbed portions of the site are stabilized. Stabilization practices may include but are not limited to: establishment of temporary vegetation, establishment of permanent vegetation, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures. Use of impervious surfaces for stabilization should be avoided.

The following records shall be maintained and attached to the SWPPP: the dates when major grading activities occur; the dates when construction activities temporarily or permanently cease on a portion of the site; and the dates when stabilization measures are initiated.

Except as provided in Parts IV.D.2.a.(2)(a), (b), and (c) below, stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased.

(a) Where the initiation of stabilization measures by the 14th day after construction activity temporary or permanently ceased is precluded by snow cover or frozen ground conditions, stabilization measures shall be initiated as soon as practicable.

(b) Where construction activity on a portion of the site is temporarily ceased, and earth disturbing activities will be resumed within 21 days, temporary stabilization measures do not have to be initiated on that portion of site.

(c) In arid areas (areas with an average rainfall of 0 to 10 inches), semiarid areas (areas with an average annual rainfall of 10 to 20 inches), and areas experiencing droughts where the initiation of stabilization measures by the 14th day after construction activity has temporarily or permanently ceased is precluded by seasonably arid conditions, stabilization measures shall be initiated as soon as practicable.

(3) *Structural Practices.* The SWPPP must include a description of structural practices to divert flows from exposed soils, store flows or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable. Structural practices may include but are not limited to: silt fences, earth dikes, drainage swales, sediment traps, check dams, subsurface drains, pipe slope drains, level spreaders, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins. Placement of structural practices in floodplains should be avoided to the degree attainable. The installation of these devices may be subject to section 404 of the CWA.

(a) For common drainage locations that serve an area with ten (10) or more acres disturbed at one time, a temporary (or permanent) sediment basin that provides storage for a calculated volume of runoff from a 2 year, 24 hour storm from each disturbed acre drained, or equivalent control measures, shall be provided where attainable until final stabilization of the site. Where no such calculation has been performed, a temporary (or permanent) sediment basin providing 3,600 cubic feet of storage per acre drained, or equivalent control measures, shall be provided where attainable until final stabilization of the site. When computing the number of acres draining into a common location it is not necessary to include flows from offsite areas and flows from onsite areas that are either undisturbed or have undergone final stabilization where such flows are diverted around both the disturbed area and the sediment basin.

In determining whether installing a sediment basin is attainable, the permittee may consider factors such as site soils, slope, available area on site, etc. In any event, the permittee must consider public safety, especially as it relates to children, as a design factor for the sediment basin and alternative sediment controls shall be used where site limitations would preclude a safe design. For drainage locations which serve ten (10) or more disturbed acres at one time and where a temporary sediment basin or equivalent controls is not attainable, smaller sediment basins and/or sediment traps should be used. Where neither the sediment basin nor equivalent controls are attainable due to site limitations, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries of the construction area and for those side slope boundaries deemed appropriate as dictated by individual site conditions. EPA encourages the use of a combination of sediment and erosion control measures in order to achieve maximum pollutant removal.

(b) For drainage locations serving less than 10 acres, smaller sediment basins and/or sediment traps should be used. At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries (and for those side slope boundaries deemed appropriate as dictated by individual site conditions) of the construction area unless a sediment basin providing storage for a calculated volume of runoff from a 2 year, 24 hour storm or 3,600 cubic feet of storage per acre drained is provided. EPA encourages the use of a combination of sediment and erosion control measures in order to achieve maximum pollutant removal.

b. *Storm Water Management.* A description of measures that will be installed during the construction process to control pollutants in storm water discharges that will occur after construction operations have been completed must be included in the SWPPP. Structural measures should be placed on upland soils to the degree attainable. The installation of these devices may also require a separate permit under section 404 of the CWA. Permittees are only responsible for the installation and maintenance of storm water management measures prior to final stabilization of the site, and are not responsible for maintenance after storm water discharges associated with construction activity have been eliminated from the site. However, post-construction storm water BMPs that discharge pollutants from point sources once construction is completed, may in themselves, need authorization under a separate NPDES permit.

(1) Such practices may include but are not limited to: storm water detention structures (including wet ponds); storm water retention structures; flow attenuation by use of open vegetated swales and natural depressions; infiltration of runoff onsite; and sequential systems (which combine several practices). The SWPPP shall include an explanation of the technical basis used to select the practices to control pollution where flows exceed predevelopment levels.

(2) Velocity dissipation devices shall be placed at discharge locations and along the length of any outfall channel to provide a non-erosive flow velocity from the structure to a water course so that the natural physical and biological characteristics and functions are maintained and protected (*e.g.* no significant changes in the hydrological regime of the receiving water).

c. *Other Controls.* (1) No solid materials, including building materials, shall be discharged to waters of the United States, except as authorized by a permit issued under section 404 of the CWA.

(2) Off-site vehicle tracking of sediments and the generation of dust shall be minimized.

(3) The SWPPP shall be consistent with applicable State, Tribal and/or local waste disposal, sanitary sewer or septic system regulations to the extent these are located within the permitted area.

(4) The SWAPPP shall include a description of construction and waste materials expected to be stored on-site with updates as appropriate. The SWPPP shall also include a description of controls to reduce pollutants from these materials including storage practices to minimize exposure of the materials to storm water, and spill prevention and response.

(5) The SWPPP shall include a description of pollutant sources from areas other than construction (including storm water discharges from dedicated asphalt plants and dedicated concrete plants), and a description of controls and measures that will be implemented at those sites to minimize pollutant discharges.

(6) The SWPPP shall include a description of measures necessary to protect listed endangered or threatened species, or critical habitat, including any terms or conditions that are imposed under the eligibility requirements of Part I.B.3.e.(4) of this permit. Failure to describe and implement such measures will result in storm water discharges from construction activities that are ineligible for coverage under this permit.

d. *Approved State, Tribal or Local Plans.* (1) Permittees which discharge storm water associated with construction activities must ensure their storm water pollution prevention plan is consistent with requirements specified in applicable sediment and erosion site plans or site permits, or storm water management site plans or site permits approved by State, Tribal, or local officials.

(2) Storm water pollution prevention plans must be updated as necessary to remain consistent with any changes applicable to protecting surface water resources in sediment erosion site plans or site permits, or storm water management site plans or site permits approved by State, Tribal or local officials for which the permittee receives written notice.

3. Maintenance

All erosion and sediment control measures and other protective measures identified in the SWPPP must be maintained in effective operating condition. If site inspections required by Part IV.D.4. identify BMPs that are not operating effectively, maintenance shall be performed before the next anticipated storm event, or as necessary to maintain the continued effectiveness of storm water controls. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and accomplished as soon as practicable.

4. Inspections

Qualified personnel (provided by the permittee or cooperatively by multiple permittees) shall inspect disturbed areas of the construction site that have not been finally stabilized, areas used for storage of materials that are exposed to precipitation, structural control measures, and locations where vehicles enter or exit the site, at least once every fourteen (14) calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater.

Where sites have been finally or temporarily stabilized, runoff is unlikely due to winter conditions (*e.g.*, site is covered with snow, ice, or frozen ground exists), or during seasonal arid periods in arid areas (areas with an average annual rainfall of 0 to 10 inches) and semi-arid areas (areas with an average annual rainfall of 10 to 20 inches) such inspections shall be conducted at least once every month.

Permittees are eligible for a waiver of monthly inspection requirements until one month before thawing conditions are expected to result in a discharge if all of the following requirements are met: (1) The project is located in an area where frozen conditions are anticipated to continue for extended periods of time (*i.e.*, more than one month); (2) land disturbance activities have been suspended; and (3) the beginning and ending dates of the waiver period are documented in the SWPPP.

a. Disturbed areas and areas used for storage of materials that are exposed to precipitation shall be inspected for evidence of, or the potential for, pollutants entering the drainage system. Sediment and erosion control measures identified in the SWPPP shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving waters. Where discharge locations are inaccessible, nearby downstream locations shall be inspected to the extent that such inspections are practicable. Locations where vehicles enter or exit the site shall be inspected for evidence of offsite sediment tracking.

b. Based on the results of the inspection, the SWPPP shall be modified as necessary (*e.g.*, show additional controls on map required by Part IV.D.1; revise description of controls required by Part IV.D.2) to include additional or modified BMPs designed to correct problems identified. Revisions to the SWPPP shall be completed within 7 calendar days following the inspection. If existing BMPs need to be modified or if additional BMPs are necessary, implementation shall be completed before the next anticipated storm event. If implementation before the next anticipated storm event is impracticable, they shall be implemented as soon as practicable.

c. A report summarizing the scope of the inspection, name(s) and qualifications of personnel making the inspection, the date(s) of the inspection, and major observations relating to the implementation of the SWPPP shall be made and retained as part of the SWPPP for at least three years from the date that the site is finally stabilized. Major observations should include: the location(s) of discharges of sediment or other pollutants from the site; location(s) of BMPs that need to be maintained; location(s) of BMPs that failed to operate as designed or proved inadequate for a particular location; and location(s) where additional BMPs are needed that did not exist at the time of inspection. Actions taken in accordance with Part IV.D.4.b of this permit shall be made and retained as part of the storm water pollution prevention plan for at least three years from the date that the site is finally stabilized. Such reports shall identify any incidents of non-compliance. Where a report does not identify any incidents of non-compliance, the report shall contain a certification that the facility is in compliance with the storm water pollution prevention plan and this permit. The report shall be signed in accordance with Part VI.G of this permit.

5. Non-Storm Water Discharges

Except for flows from fire fighting activities, sources of non-storm water listed in Part III.A.2 or 3 of this permit that are combined with storm water discharges associated with construction activity must be identified in the SWPPP. The SWPPP shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge.

**Part V. Retention of Records**

*A. Documents*

The permittee shall retain copies of storm water pollution prevention plans and all reports required by this permit, and records of all data used to complete the Notice of Intent to be covered by this permit, for a period of at least three years from the date that the site is finally stabilized. This period may be extended by request of the Director at any time.

*B. Accessibility*

The permittee shall retain a copy of the storm water pollution prevention plan required by this permit (including a copy of the permit language) at the construction site (or other local location accessible to the Director, a State, Tribal or local agency approving sediment and erosion plans, grading plans, or storm water management plans; local government officials; or the operator of a municipal separate storm sewer receiving discharges from the site) from the date of project initiation to the date of final stabilization. Permittees with day-to-day operational control over SWPPP implementation shall have a copy of the SWPPP available at a central location on-site for the use of all operators and those identified as having responsibilities under the SWPPP whenever they are on the construction site.

*C. Addresses*

Except for the submittal of NOIs and NOTs (see Parts II.C and VIII.B, respectively), all written correspondence concerning discharges in any State, Indian Country land or from any Federal facility covered under this permit and directed to the EPA, including the submittal of individual permit applications, shall be sent to the address of the appropriate EPA Regional Office listed below:

Region 1: CT, MA, ME, NH, RI, VT
United States EPA, Region 1, Office of Ecosystem Protection, Municipal

Assistance Unit, John F. Kennedy Federal Building-CMU, Boston, MA 02203

Region 2: NJ, NY, PR, VI

United States EPA, Region 2, Division of Environmental Planning and Protection, (2DEPP–WPB), Water Programs Branch, 290 Broadway, New York, NY 10007–1866

Region 3: DE, DC, MD, PA, VA, WV

United States EPA, Region 3, Water Management Division, (3WM55), Storm Water Staff, 841 Chestnut Building, Philadelphia, PA 19107

Region 7: IA, KS, MO, NE (except see Region 8 for Pine Ridge Reservation Lands)

United States EPA, Region 7, Water, Wetlands, and Pesticides Division, NPDES and Facilities Management Branch, Storm Water Staff, 726 Minnesota Avenue, Kansas City, KS 66101

Region 8: CO, MT, ND, SD, WY, UT (except see Region 9 for Goshute Reservation and Navajo Reservation lands), the Ute Mountain Reservation in NM, and the Pine Ridge Reservation in NE

United States EPA, Region 8, Ecosystems Protection Program (8EPR–EP), Storm Water Staff, 999 18th Street, Suite 500, Denver, CO 80202–2466

Region 9: AZ, CA, HI, NV, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Goshute Reservation in UT and NV, the Navajo Reservation in UT, NM, and AZ, the Duck Valley Reservation in ID, Fort McDermitt Reservation in OR

United States EPA, Region 9, Water Management Division, WTR–5, Storm Water Staff, 75 Hawthorne Street, San Francisco, CA 94105

Region 10: AK, WA, ID (except see Region 9 for Duck Valley Reservation lands), OR (except see Region 9 for Fort McDermitt Reservation)

United States EPA Region 10, Office of Water OW–130, Storm Water Staff, 1200 6th Avenue, Seattle, WA 98101

## Part VI. Standard Permit Conditions

### *A. Duty to Comply*

1. The Permittee Must Comply With All Conditions of This Permit

Any permit noncompliance constitutes a violation of CWA and is grounds for reinforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

2. Penalties for Violations of Permit Conditions

The Director will adjust the civil and administrative penalties listed below in accordance with the Civil Monetary Penalty Inflation Adjustment Rule **Federal Register**: December 31, 1996, Volume 61, Number 252, pages 69359–69366, as corrected, March 20, 1997, Volume 62, Number 54, pages 13514–13517) as mandated by the Debt Collection Improvement Act of 1996 for inflation on a periodic basis. This rule allows EPA's penalties to keep pace with inflation. The Agency is required to review its penalties at least once every four years thereafter and to adjust them as necessary for inflation according to a specified formula. The civil and administrative penalties listed below were adjusted for inflation starting in 1996.

a. *Criminal.* (1) *Negligent Violations.* The CWA provides that any person who negligently violates permit conditions implementing sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment for not more than 1 year, or both.

(2) *Knowing Violations.* The CWA provides that any person who knowingly violates permit conditions implementing sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than $5,000 nor more than $50,000 per day of violation, or by imprisonment for not more than 3 years, or both.

(3) *Knowing Endangerment.* The CWA provides that any person who knowingly violates permit conditions implementing sections 301, 302, 306, 307, 308, 318, or 405 of the Act and who knows at that time he is placing another person in imminent danger of death or serious bodily injury is subject to a fine of not more than $250,000, or by imprisonment for not more than 15 years, or both.

(4) *False Statement.* The CWA provides that nay person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Act or who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under the Act, shall upon conviction, be punished by a fine of not more than $10,000 or by imprisonment for not more than two years, or by both. If a conviction is for a violation committed after a first conviction of such person under this paragraph, punishment shall be by a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four years, or by both. (*See* section 309(c)(4) of the Clean Water Act).

b. *Civil Penalties.* The CWA provides that any person who violates a permit condition implementing sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a civil penalty not to exceed $27,500 per day for each violation.

c. *Administrative Penalties.* The CWA provides that any person who violates a permit condition implementing sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to an administrative penalty, as follows:

(1) *Class I Penalty.* Not to exceed $11,000 violation nor shall the maximum amount exceed $27,500.

(2) *Class II Penalty.* Not to exceed $11,000 per day for each day during which the violation continues nor shall the maximum amount exceed $137,500.

### *B. Continuation of the Expired General Permit*

If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with the Administrative Procedures Act and remain in force and effect. Any permittee who was granted permit coverage prior to the expiration date will automatically remain covered by the continued permit until the earlier of:

1. Reissuance or replacement of this permit, at which time the permittee must comply with the Notice of Intent conditions of the new permit to maintain authorization to discharge; or

2. The permittee's submittal of a Notice of Termination; or

3. Issuance of an individual permit for the permittee's discharges; or

4. A formal permit decision by the Director not to reissue this general permit, at which time the permittee must seek coverage under an alternative general permit or an individual permit.

### *C. Need to Halt or Reduce Activity Not a Defense*

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

### *D. Duty to Mitigate*

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of

adversely affecting human health or the environment.

*E. Duty to Provide Information*

The permittee shall furnish to the Director or an authorized representative of the Director any information which is requested to determine compliance with this permit or other information.

*F. Other Information*

When the permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in the Notice of Intent or in any other report to the Director, he or she shall promptly submit such facts or information.

*G. Signatory Requirements*

All Notices of Intent, Notices of Termination, storm water pollution prevention plans, reports, certifications or information either submitted to the Director or the operator of a large or medium municipal separate storm sewer system, or that this permit requires be maintained by the permittee, shall be signed as follows:

1. All Notices of Intent and Notices of Termination shall be signed as follows:

a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25,000,000 (in second-quarter 1980 dollars) if authority to sign documents has been assigned to delegated to the manager in accordance with corporate procedures;

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

c. For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes (1) the chief executive officer of the agency, or (2) senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (*e.g.*, Regional Administrator of EPA).

2. All reports required by this permit and other information requested by the Director or authorized representative of the Director shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

a. The authorization is made in writing by a person described above and submitted to the Director.

b. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position).

c. *Changes to Authorization.* If an authorization under Part II.B is no longer accurate because a different operator has responsibility for the overall operation of the construction site, a new Notice of Intent satisfying the requirements of Part II.B must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative. The change in authorization must be submitted within the time frame specified in Part II.A.3, and sent to the address specified in Part II.C.

d. *Certification.* Any person signing documents under Part VI.G shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

*H. Penalties for Falsification of Reports*

Section 309(c)(4) of the Clean Water Act provides that any person who knowingly makes any false material statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than two years, or by both.

*I. Oil and Hazardous Substance Liability*

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under section 311 of the CWA or section 106 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA).

*J. Property Rights*

The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

*K. Severability*

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

*L. Requiring an Individual Permit or an Alternative General Permit*

1. The Director may require any person authorized by this permit to apply for and/or obtain either an individual NPDES permit or an alternative NPDES general permit. Any interested person may petition the Director to take action under this paragraph. Where the Director requires a permittee authorized to discharge under this permit to apply for an individual NPDES permit, the Director shall notify the permittee in writing that a permit application is required. This notification shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the permittee to file the application, and a statement that on the effective date of issuance or denial of the individual NPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. Applications shall be submitted to the appropriate Regional Office indicated in Part V.C of this permit. The Director may grant additional time to submit the application upon request of the applicant. If a permittee fails to submit in a timely manner an individual NPDES permit application as required by the Director under this paragraph, then the applicability of this permit to the individual NPDES permittee is automatically terminated at the end of the day specified by the Director for application submittal.

2. Any permittee authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. In such cases, the permittee shall submit an individual application in accordance with the requirements of 40 CFR 122.26(c)(1)(ii), with reasons supporting the request, to the Director at the address for the appropriate Regional Office indicated in Part V.C of this permit. The request may be granted by issuance of any individual permit or an alternative general permit if the reasons cited by the permittee are adequate to support the request.

3. When an individual NPDES permit is issued to a permittee otherwise subject to this permit, or the permittee is authorized to discharge under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be. When an individual NPDES permit is denied to an owner or operator otherwise subject to this permit, or the owner or operator is denied for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the date of such denial, unless otherwise specified by the Director.

*M. State/Tribal Environmental Laws*

1. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State/Tribal law or regulation under authority preserved by section 510 of the Act.

2. No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

*N. Proper Operation and Maintenance*

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of storm water pollution prevention plans. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by a permittee only when necessary to achieve compliance with the conditions of this permit.

*O. Inspection and Entry*

The permittee shall allow the Director or an authorized representative of EPA, the State/Tribe, or, in the case of a construction site which discharges through a municipal separate storm sewer, an authorized representative of the municipal owner/operator or the separate storm sewer receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;

2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and

3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment).

*P. Permit Actions*

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

**Part VII. Reopener Clause**

A. If there is evidence indicating that the storm water discharges authorized by this permit cause, have the reasonable potential to cause or contribute to, a violation of a water quality standard, the permittee may be required to obtain an individual permit or an alternative general permit in accordance with Part I.C of this permit, or the permit may be modified to include different limitations and/or requirements.

B. Permit modification or revocation will be conducted according to 40 CFR 122.62, 122.63, 122.64 and 124.5.

C. EPA may propose a modification to this permit after further discussions between the Agency and the Advisory Council on Historic Preservation for the protection of historic properties.

**Part VIII. Termination of Coverage**

*A. Notice of Termination*

Permittees must submit a completed Notice of Termination (NOT) that is signed in accordance with Part VI.G of this permit when one or more of the conditions contained in Part I.D.2. (Terminating Coverage) have been met at a construction project. The NOT form found in Addendum D will be used unless it has been replaced by a revised version by the Director. The Notice of Termination shall include the following information:

1. The NPDES permit number for the storm water discharge identified by the Notice of Termination;

2. An indication of whether the storm water discharges associated with construction activity have been eliminated (*i.e.*, regulated discharges of storm water are being terminated) or the permittee is no longer an operator at the site;

3. The name, address and telephone number of the permittee submitting the Notice of Termination;

4. The name of the project and street address (or a description of location if no street address is available) of the construction site for which the notification is submitted;

5. The latitude and longitude of the construction site; and

6. The following certification,signed in accordance with Part VI.G (signatory requirements) of this permit. For construction projects with more than one permittee and/or operator, the permittee need only make this certification for those portions of the construction site where the permittee was authorized under this permit and not for areas where the permittee was not an operator:

> ''I certify under penalty of law that all storm water discharges associated with industrial activity from the identified facility that authorized by a general permit have been eliminated or that I am no longer the operator of the facility or construction site. I understand that by submitting this notice of termination, I am no longer authorized to discharge storm water associated with industrial activity under this general permit, and that discharging pollutants in storm water associated with industrial activity to waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by a NPDES permit. I also understand that the submittal of this Notice of Termination does not release an operator from liability for any violations of this permit or the Clean Water Act.''

For the purposes of this certification, elimination of storm water discharges associated with construction activity means that all disturbed soils at the portion of the construction site where the operator had control have been finally stabilized (as defined in Part IX.I) and temporary erosion and sediment control measures have been removed or will be removed at an appropriate time to ensure final stabilization is maintained, or that all storm water discharges associated with construction activities from the identified site that

are authorized by a NPDES general permit have otherwise been eliminated from the portion of the construction site where the operator had control.

*B. Addresses*

1. All Notices of termination, signed in accordance with Part VI.G of this permit, are to be submitted using the form provided by the Director (or a photocopy thereof), to the address specified on the NOT form.

**Part IX. Definitions**

A. *Best Management Practices (BMPs)* means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practice to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

B. *Control Measure* as used in this permit, refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the United States.

C. *Commencement of Construction* the initial disturbance of soils associated with clearing, grading, or excavating activities or other construction activities.

D. *CWA* means the Clean Water Act or the Federal Water Pollution Control Act, 33 U.S.C. section 1251 *et seq.*

E. *Director* means the Regional Administrator of the Environmental Protection Agency or an authorized representative.

F. *Discharge* when used without qualification means the ''discharge of a pollutant.''

G. *Discharge of Storm Water Associated with Construction Activity* as used in this permit, refers to a discharge of pollutants in storm water runoff from areas where soil disturbing activities (*e.g.,* clearing, grading, or excavation), construction materials or equipment storage or maintenance (*e.g.,* fill piles, borrow area, concrete truck washout, fueling), or other industrial storm water directly related to the construction process (*e.g.,* concrete or asphalt batch plants) are located.

H. *Facility or Activity* means any NPDES ''point source'' or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the NPDES program.

I. *Final Stabilization* means that either:

1. All soil disturbing activities at the site have been completed and a uniform (*e.g,,* evenly distributed, without large bare areas) perennial vegetative cover with a density of 70% of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or goetextiles) have been employed. In such parts of the country, background native vegetation will cover less than 100% of the ground (*e.g.,* arid areas, beaches). Establishing at least 70% of the natural cover of the native vegetation meets the vegetative cover criteria for final stabilization (*e.g.,* if the native vegetation covers 50% of the ground, 70% of 50% would require 35% total cover for final stabilization; on a beach with no natural vegetation, no stabilization is required); or

2. For individual lots in residential construction by either: (a) The homebuilder completing final stabilization as specified above, or (b) the homebuilder establishing temporary stabilization including perimeter controls for an individual lot prior to occupation of the home by the homeowner and informing the homeowner of the need for, and benefits of, final stabilization. (Homeowners typically have an incentive to put in the landscaping functionally equivalent to final stabilization as quick as possible to keep mud out of their homes and off sidewalks and driveways.); or

3. For construction projects on land used for agricultural purposes (*e.g.,* pipelines across crop or range land), final stabilization may be accomplished by returning the disturbed land to its preconstruction agricultural use. Areas disturb that were not previously used for agricultural activities, such as buffer strips immediately adjacent to ''water of the United States,'' and area which are not being returned to their preconstruction agricultural use must meet the final stabilization criteria (1) or (2) above.

J. *Flow-Weighted Composite Sample* means a composite sample consisting of a mixture of aliquots collected at a constant time interval, where the volume of each aliquot is proportional to the flow rate of the discharge.

K. *Large and Medium Municipal Separate Storm Sewer System* means all municipal separate storm sewers that are either:

1. Located in an incorporated place (city) with a population of 100,000 or more as determined by the latest Decennial Census by the Bureau of Census (these cities are listed in Appendices F and G of 40 CFR 122); or

2. Located in the countries with unincorporated urbanized populations of 100,000 or more, except municipal separate storm sewers that are located in the incorporated places, townships or towns within such counties (these counties are listed in Appendices H and I of 40 CFR 122); or

3. Owned or operated by a municipality other than those described in paragraph (i) and (ii) and that are designated by the Director as part of the large or medium municipal separate storm sewer system.

L. *NOI* means Notice of Intent to be covered by this permit (see Part II of this permit.)

M. *NOT* means Notice of Termination (see Part VIII of this permit).

N. *Operator* for the purpose of this permit and in the context of storm water associated with construction activity, means any party associated with a construction project that meets either of the following two criteria:

1. The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or

2. The party has day-to-day operational control of those activities at a project which are necessary to ensure compliance with a storm water pollution prevention plan for the site or other permit conditions (*e.g.,* they are authorized to direct workers at a site to carry out activities required by the SWPPP or comply with other permit conditions).

This definition is provided to inform permittees of EPA's interpretation of how the regulatory definitions of ''owner or operator'' and ''facility or activity'' are applied to discharges of storm water associated with construction activity.

O. *Owner or operator* means the owner or operator of any ''facility or activity'' subject to regulation under the NPDES program.

P. *Point Source* means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

Q. *Pollutant* is defined at 40 CFR 122.2. A partial listing from this definition includes: dredged spoil, solid waste, sweage, garbage, sewage sludge, chemical wastes, biological materials,

heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial or municipal waste.

R. *Runoff coefficient* means the fraction of total rainfall that will appear at the conveyance as runoff.

S. *Storm Water* means storm water runoff, snow melt runoff, and surface runoff and drainage.

T. *Storm Water Associated with Industrial Activity* is defined at 40 CFR 122.26(b)(14) and incorporated here by reference. Most relevant to this permit is 40 CFR 122.26(b)(14)(x), which relates to construction activity including clearing, grading and excavation activities that result in the disturbance of five (5) or more acres of total land area, or are part of a larger common plan of development or sale.

U. *Waters of the United States* means:

1. All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;

2. All interstate waters, including interstate ''wetland'';

3. All other waters such as interstate lakes, rivers, streams (including intermittent streams), mudflat, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:

a. Which are or could be used by interstate or foreign travelers for recreational or other purposes;

b. From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or

c. Which are used or could be used for industrial purposes by industries in interstate, commerce;

4. All impoundments of waters otherwise defined as waters of the United States under this definition;

5. Tributaries of waters identified in paragraphs (a) through (d) of this definition;

6. The territorial sea; and

7. Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraph 1. through 6. of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirement of the CWA (other than cooling ponds for steam electric generation stations per 40 CFR 423) which also meet the criteria of this definition) are not waters of the United States. Waters of the United States do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA.

## Part X. Permit Conditions Applicable to Specific States, Indian Country Lands, or Territories

The provisions of this Part provide modifications or additions to the applicable conditions of Parts I through IX of this permit to reflect specific additional conditions required as part of the State or Tribal CWA Section 401 certification process, or Coastal Zone Management Act certification process, or as otherwise established by the permitting authority. The additional revisions and requirements listed below are set forth in connection with, and only apply to, the following States, Indian Country lands and Federal facilities.

*A. Region 1*

1. CTR10*##I: Indian Country Lands in the State of Connecticut

No additional requirements.

2. MAR10*###: Commonwealth of Massachusetts, Except Indian Country Lands

a. Part I.B.4 is added to the permit as follows:

Special Requirements for the State of Massachusetts

a. Discharges covered by the general permit must comply with the provisions of 314 CMR 3.00, 314 CMR 4.00, 314 CMR 9.00 and 310 CMR 10.00 and any related policies promulgated under the authority of the Massachusetts Clean Waters Act, M.G.L. c.21, ss.23–56, and Wetlands Protection Act, M.G.L. c.131 s.40. Specifically, construction activities subject to this permit must comply with applicable storm water performance standards prescribed by State regulation or policy. Construction activities subject to jurisdiction under 310 CMR 10.00 must comply with an Order or Superseding Order of Conditions. An application for a permit under 314 CMR 3.00 is required only when required by 314 CMR 3.04(2)(b) or is otherwise identified in 314 CMR 3.00 or Massachusetts Department of Environmental Protection policy as a discharge requiring a permit application.

b. The Massachusetts Department of Environmental Protection may request a copy of the storm water pollution prevention plan or conduct an inspection of any facility covered by this permit to ensure compliance with State law requirements. The Department may enforce its certification conditions.

3. MAR10*##I: Indian Country Lands in the Commonwealth of Massachusetts

No additional requirements.

4. MER10*###: State of Maine, Except Indian Country Lands

a. The following is added to the introductory section of Part IV:

The applicant for a project that does not require a permit pursuant to Maine's Storm Water Management Law, 38 MRSA 420–D due to the exemption at 38 MRSA 490–D(7)(D), must demonstrate to the satisfaction of the Maine Department of Environmental Protections (MDEP) prior to starting construction that the project meets the standards adopted pursuant to Maine's Storm Water Management Law, 38 MRSA 420–D.

b. The following is added to the introduction to Part IV. D:

For a project not requiring a permit pursuant to Maine's Storm Water Management Law, 38 MRSA 420–D, due to the exemption at 38 MRSA–D(7)(D),* the following information is provided: Maine's storn water permit application, as approved by MDEP, is considered to meet the requirements of the storm water pollution prevention plan as described in Part IV D.1, 2a, 2b, and 2c(1–5). Maine's storm water permit application is not considered to meet the requirements of Part IV D.2c(6) (threatened and endangered species and/or critical habitat), Part IV.D.3 (maintenance), Part IV.D.4. (inspection), or Part IV D.5. (non-storm water discharges).

For a project requiring a permit pursuant to Maine's Storm Water Management Law, 38 MRSA 420–D, or otherwise required to meet Maine's storm water standards adopted pursuant to 38 MRSA 420–D, the following information is provided: a permit or variance application addressing Storm water, as approved by MDEP, is considered to meet the requirements of the storm water pollution prevention plan as described in Part IV.D.1, 2a, 2b, 2c(1–5), 3 and 4. Maine's permit or variance application addressing storm water, as approved by MDEP, is not considered to meet the requirements in Part IV.D.2c(6) and (7) which address threatened and endangered species and/or critical habitat and historic sites, or Part IV.D.5 (non storm water discharges).

*A project that is exempt form the Storm Water Management Law, due to the exemption at 38 MRSA 490–D(7)(D) and some other exemptions listed at 38 MRSA 490–D(7), is not required to complete a Maine storm water permit application.

5. MER10*##I: Indian Country Lands in the State of Maine.

No additional requirements.

6. NHR10*###: State of New Hampshire, Except Indian County Lands

No additional requirements.

7. RIR10*##I: Indian Country Lands in the State of Rhode Island

No additional requirements.

8. VTR10*##F: Federal Facilities in the State of Vermont, Except Those Located on Indian Country Lands

No additional requirements.

*B. Region 2*

1. NYR10*##I: Indian Country Lands in the State of New York

No additional requirements.

2. PRR10*###: The Commonwealth of Puerto Rico

No additional requirements.

*C. Region 3*

1. DCR10*###: The District of Columbia

No additional requirements.

2. DER10*##F: Federal Facilities in the State of Delaware

No additional requirements.

*D. Region 7*

1. IAR10*##I: Indian Country Lands in the State of Iowa

No additional requirements.

2. KSR10*##I: Indian Country Lands in the State of Kansas

No additional requirements.

3. NER10*##I: Indian Country Lands in the State of Nebraska, Except Pine Ridge Reservation Lands (see Region 8)

No additional requirements.

*E. Region 8*

1. COR10*##F: Federal Facilities in the State of Colorado, Except Those Located on Indian Country Lands

No additional requirements.

2. COR10*##I: Indian Country Lands in the State of Colorado, Including the Portion of the Ute Mountain Reservation Located in New Mexico

No additional requirements.

3. MTR10*##I: Indian Country Lands in the State of Montana

a. Confederated Salish & Kootenai Tribes of the Flathead Reservation. Copies of Notices of Intent (NOI), Notices of Termination (NOT), and Storm Water Pollution Prevention Plans (SWPPPs) must be submitted to the Confederated Salish and Kootenai Tribes' Natural Resources Department.

(1) Part II.C.2 is added to the permit as follows:

Special NOI Requirements for the Flathead Indian Reservation. NOIs shall also be submitted to the Confederated Salish and Kootenai Tribes at the same time they are submitted to EPA at the following address: Confederated Salish and Kootenai Tribes, Natural Resources Department, Department Head, P.O. Box 278, Pablo, MT 59855.

(2) Part VIII.B.2 is added to the permit as follows:

Special NOT Requirements for the Flathead Indian Reservation. NOTs shall also be submitted to the Confederated Salish and Kootenai Tribes at the same time they are submitted to EPA. NOTs are to be sent to the address given in Part II.C.2.

(3) Part IV.A.3 is added to the permit as follows:

Special Storm Water Pollution Prevention Plan Requirements for the Flathead Indian Reservation. Storm Water Pollution Prevention Plans (SWPPPs) must be submitted to the Confederated Salish and Kootenai Tribes' Natural Resources Department before a project on the Flathead Indian Reservation begins. SWPPPs are to be sent to the address given in Part II.C.2.

b. All Other Indian Country lands in Montana. No additional requirements.

4. NDR10*##I: Indian Country Lands in the State of North Dakota, Including That Portion of the Standing Rock Reservation Located in South Dakota (Except for the Lake Traverse Reservation Which is Covered Under South Dakota Permit SDR10*##I Listed Below)

No additional requirements.

5. SDR10*##I: Indian Country Lands in the State of South Dakota, Including the Portion of the Pine Ridge Reservation Located in Nebraska and the Portion of the Lake Traverse Reservation Located in North Dakota (Except for the Standing Rock Reservation Which is Covered Under North Dakota Permit NDR10*##I Listed Above)

No additional requirements.

6. UTR10*##I: Indian Country Lands in the State of Utah, Except Goshute and Navajo Reservation Lands (see Region 9)

No additional requirements.

7. WYR10*##I: Indian Country Lands in the State of Wyoming

No additional requirements.

*F. Region 9*

1. ASR10*###: The Island of American Samoa

No additional requirements.

2. AZR10*###: The State of Arizona, Except Indian Country Lands

a. Part II.C.2 is added to the permit as follows:

Special NOI Requirements for the State of Arizona. NOIs shall also be submitted to the State of Arizona Department of Environmental Quality at the following address: Storm Water Coordinator, Arizona Department of Environmental Quality, 3033 North Central Avenue, Phoenix, Arizona 85012.

NOIs submitted to the State of Arizona shall include the well registration number if storm water associated with industrial activity is discharged to a dry well or an injection well.

b. Part VIII.B.2 is added to the permit as follows:

Special Not Requirement for the State of Arizona. NOTs shall also be submitted to the State of Arizona Department of Environmental Quality at the following address: Storm Water Coordinator, Arizona Department of Environmental Quality, 3033 North Central Avenue, Phoenix, Arizona 85012.

3. AZR10*##I: Indian Country Lands in the State of Arizona, Including Navajo Reservation Lands in New Mexico and Utah

No additional requirements.

4. CAR10*##I: Indian Country Lands in the State of California

No additional requirements.

5. GUR10*###I: The Island of Guam

a. Part II.C.2 of the permit is added as follows:

Special NOI Requirement for Guam. NOIs shall also be submitted to the following address: Guam Environmental Protection Agency, P.O. Box 22439 GMF, Barrigada, Guam 96921.

b. Part VI.L.4 is added to the permit as follows: Special Requirement for Guam. Individual permit applications required under this section shall also be submitted to the following address: Guam Environmental Protection Agency, P.O. Box 22439 GMF, Barrigada, Guam 96921.

6. JAR10*###: Johnston Atoll

No additional requirements.

7. MWR10*###: Midway Island and Wake Island

No additional requirements.

8. NIR10*###: Commonwealth of the Northern Mariana Islands

a. Part II.A.8 of the permit is added as follows:

NOI Deadline for CNMI. The NOI submitted to the CNMI Department of Environmental Quality (DEQ) shall be postponed seven (7) calendar days prior to any storm water discharges.

b. Part II.B.4 of the permit is added as follows:

Additional Requirements for CNMI. The NOI submitted to CNMI and EPA Region 9 shall be accompanied by a letter from the CNMI DEQ approving the storm water pollution prevention plan required by Part IV of this permit.

c. Part II.C.2 of the permit is added as follows:

Special NOI Requirements for CNMI. NOIs shall also be submitted to the following addresses:

Commonwealth of the Northern Mariana Islands, Division of Environmental Quality, P.O. Box 1304, Saipan, MP 96950

EPA, Region 9, Section WTR–5, 75 Hawthorne Street, San Francisco, CA 94105

d. Part IV.A.3 of the permit is added as follows:

Special Requirements for CNMI. Storm water pollution prevention plans (SWPPPs) required by this permit shall be submitted to the CNMI DEQ for review and approval along with applicable fees associated with a 401 Water Quality Certification prior to submittal of an NOI to EPA and the CNMI DEQ. SWPPPs are to be sent to the address given in Part II.C.2.

9. NVR10*##: Indian Country Lands in the State of Nevada, including the Duck Valley Reservation in Idaho, the Fort McDermitt Reservation in Oregon and the Goshute Reservation in Utah

No additional requirements.

*G. Region 10*

1. AKR10*###: The State of Alaska, Except Indian Country Lands

a. Part II.C.2 is added to the permit as follows:

Special NOI Requirements for the State of Alaska. A copy of the Notice of Intent must be sent to the Department of Environmental Conservation offices as listed below:

For projects nearest to Anchorage or Fairbanks: Alaska Department of Environmental Conservation, Water Quality Permitting Section/Storm Water, 555 Cordova Street, Anchorage, AK 99501, (907) 563–6529, FAX (907) 562–4026.

For projects in southeast Alaska, nearest to Juneau: Alaska Department of Environmental Conservation, Water Quality Permitting Section/Storm Water, 410 Willoughby Avenue, Juneau, AK 99801.

b. Part IV.A.3 is added to the permit as follows:

Special Storm Water Pollution Prevention Plan Requirements for the State of Alaska. Permittees shall obtain DEC approval of the Storm Water Pollution Prevention Plan for the construction site pursuant to 18 AAC 72.600(a). Plans are to be approved and sealed by a Professional Engineer registered in the State of Alaska, shall be submitted to the same DEC office that the Notice of Intent is sent to, and shall be accompanied by any State-required fee. A failure to secure approval as provided in this paragraph shall be deemed a violation of this general permit, but shall not prevent storm water discharges from being authorized by this general permit. (18 AAC 72.600(a), 18 AAC 72.610(a)(8), and 18 AAC 72.990(32)).

c. Part IV. D.2.b.(3) is added to the permit as follows:

Special Storm Water Management Requirements for the State of Alaska. The permittee is responsible for any post-stabilization requirements, such as the removal of pollution control devices and the control of pollutant discharges at that time, if these devices are not a permanent part of the pollution prevention controls after final stabilization.

d. Part VIII.B.2 is added to the permit as follows:

Special NOT Requirements for the State of Alaska. NOTs shall also be submitted to the State of Alaska at the same time they are submitted to EPA. NOTs are to be sent to the address given in Part II.C.2.

s. AKR10*##I: Indian Country Lands in Alaska

No additional requirements.

3. IDR10*###: The State of Idaho, Except Indian Country lands

a. Part III.F is added to the permit as follows:

Special Water Quality Standard Requirements for the State of Idaho. In addition to the requirements for coverage identified in the subject permit, the Storm Water Pollution Prevention Plan (SWPPP) design and associated storm water discharge quality shall demonstrate compliance with applicable Idaho Water Quality Standards.

4. IDR10*##I: Indian Country Lands in the State of Idaho, Except Duck Valley Reservation Lands (see Region 9)

No additional requirements.

5. ORR10*##I: Indian Country Lands in the State of Oregon Except Fort McDermitt Reservation Lands (see Region 9)

No additional requirements.

6. WAR*##F: Federal Facilities in the State of Washington, Except Those Located on Indian Country Lands

The Washington Department of Ecology includes these conditions to ensure compliance with R.W. 90.48.080 and rules referenced in the conditions above established in accordance with R.W. 90.48.035.

a. Part III.F.1 is added to the permit as follows:

Special Requirements for Federal Facilities in the State of Washington. The permittee is responsible for achieving compliance with State of Washington surface water quality standards (Chapter 173–201A WAC), sediment management standards (Chapter 173–204 WAC), ground water quality standards (Chapter 173–200 WAC), and human health based criteria in the National Toxics Rule (**Federal Register,** Vol. 57, No. 246, Dec. 22, 1992, pages 60848–609233).

b. Part III.F.2 is added to the permit as follows:

Special Ground Water Protection Requirements for Federal Facilities in the State of Washington. Diversion of storm water discharges to ground water from existing discharges to surface water shall not be authorized by this permit if this causes a violation or the potential for violation of ground water standards (Chapter 173–200 WAC). Such discharges below the surface of the ground are also regulated by the Underground Injection Control Program (Chapter 173–218 WAC).

c. Part III.F.3 is added to the permit as follows:

Special Numeric Limitations for Federal Facilities in the State of Washington.

Discharges of storm water to surface water from concrete batch or hot mix asphalt plants covered by this permit shall have an average monthly or daily maximum pH between 6.0–9.0 and a turbidity of less than 50 NTUs.

Discharges of storm water to the ground from concrete batch or hot mix asphalt plants covered by this permit shall have an average monthly or daily maximum pH between 6.5–8.5.

It needs to be reiterated that this permit does not authorize the discharge

of process water from concrete batch or hot mix asphalt plants.

d. Part III.F.4 is added to the permit as follows:

Special Requirement for Federal Facilities in the State of Washington. ''Comeback Asphalt'' must be contained within a lined area so that no leaching to ground or surface water can occur.

7. WAR10*##I: Indian Country Lands in the State of Washington

a. Confederated Tribes of the Chehalis Reservation. Copies of Notices of Intent (NOI) and Storm Water Pollution Prevention Plans (SWPPPs) must be submitted to the Chehalis Tribal Department of Natural Resources.

(1) Part II.C.2 is added to the permit as follows:

Special NOI Requirements for the Confederated Tribes of the Chehalis Reservation.

NOI shall also be submitted to the Confederated Tribes of the Chehalis Reservation at the same time they are submitted to EPA at the following address: Confederated Tribes of Chehalis Reservation, Department of Natural Resources, 420 Howanut Road, Oakville, WA 98568.

(2) Part IV.A.3 is added to the permit as follows:

Special Storm Water Pollution Prevention Plan Requirements for the Confederated Tribes of the Chehalis Reservation. Storm Water Pollution Prevention Plans (SWPPPs) must be submitted to the Chehalis Tribal Department of Natural Resources for review and approval prior to the beginning of any discharge activities taking place. SWPPPs are to be sent to the address given in Part II.C.2.

(3) Part III.I is added to the permit as follows:

Special Water Quality Standard Requirements for the Confederated Tribes of the Chehalis Reservation. The permittee shall be responsible for achieving compliance with Confederated Tribes of Chehalis Reservation's Water Quality Standards.

b. Puyallup Tribe of Indians. Copies of Notices of Intent (NOI) and Storm Water Pollution Prevention Plans (SWPPPs) must be submitted to the Puyallup Tribe Environmental Department.

(1) Part II.C.2 of the permit is added as follows:

Special NOI Requirements for the Puyallup Tribe of Indians. NOIs shall also be submitted to the Puyallup Tribe Environmental Department at the same time they are submitted to EPA at the following address: Puyallup Tribe Environmental Department, 2002 E. 28th St., Tacoma, WA 98404.

(2) Part IV.A.3 is added to the permit as follows:

Special Storm Water Pollution Prevention Plan Requirements for the Puyallup Tribe of Indians. Storm Water Pollution Prevention Plans (SWPPPs) must be submitted to the Puyallup Tribe Environmental Department for review and approval prior to the beginning of any discharge activities taking place. SWPPPs are to be sent to the address given in Part II.C.2.

(3) Part III.F. is added to the permit as follows:

Special Water Quality Standard Requirements for the Puyallup Tribe of Indians. Each permittee shall be responsible for achieving compliance with the Puyallup Tribe's Water Quality Standards.

c. All Other Indian Country lands in Washington. No additional requirements.

## Addendum A—Endangered Species

### I. Instructions for Applicants

*A. Background*

To meet its obligations under the Clean Water Act and the Endangered Species Act (ESA) and to promote these Acts' goals, the Environmental Protection Agency (EPA) is seeking to ensure the activities regulated by the Construction General Permit (CGP) are protective of endangered and threatened species and critical habitat. To ensure that those goals are met, applicants for CGP coverage are required under Part I.B.3.e. to assess the impacts of their storm water discharges and storm water discharge-related activities on Federally listed endangered and threatened species (''listed species'') and designated critical habitat (''critical habitat'') by following Steps One through Six listed below. EPA strongly recommends that applicants follow these steps at the earliest possible stage to ensure that measures to protect listed species and critical habitat are incorporate early in the planning process. At minimum, the procedures should be followed when developing the storm water pollution prevention plan.

Permittees and applicants also have an independent ESA obligation to ensure that their activities do not result in any prohibited ''takes'' of listed species.[1] Many of the measures required in the CGP and in these instructions to protect species may also assist permittees in ensuring that their construction activities do not result in a prohibited take of species in violation of section 9 of the ESA. Applicants who plan construction activities in areas that harbor endangered and threatened species are advised to ensure that they are protected from potential takings liability under ESA section 9 by obtaining either an ESA section 10 permit or by requesting formal consultation under ESA section 7 (as described in more detail in Step Seven below). Applicants who seek protection from takings liability should be aware that it is possible that some specific construction activities may be too unrelated to storm water discharges to be afforded incidental take coverage through an ESA section 7 consultation that is performed to meet the eligibility requirements for CGP coverage. In such instances, applicants should apply for an ESA section 10 permit. Where applicants are not sure whether to pursue a section 10 permit or a section 7 consultation for takings protection, they should confer with the appropriate Fish and Wildlife Service (FWS) or National Marine Fisheries Service (NMFS) office.

This permit provides for the Possibility of multiple permittees at a construction site. Applicants should be aware that in many cases they can meet the permit eligibility requirements by relying on another operator's certification of eligibility under Part 1.B.3.e.(2)(a), (b), or (c). this is allowed under Part I.B.3.e.(2)(d) of the permit. However, the other operator's certification must apply to the applicant's project area and must address the effects from the applicant's storm water discharges and storm water discharge-related activities on listed species and critical habitat. By certifying eligibility under Part I.B.3.e.(2)(d), the applicant agrees to comply with any measures or controls upon which the other operator's certification under Part I.B.3.e.(2)(a), (b) or (c) was based. This situation will typically occur where a developer or primary contractor, such as one for construction of a subdivision or industrial part, conducts a comprehensive assessment of effects on listed species and critical habitat for the entire construction project, certifies eligibility under Part I.B.3.e.(2)(a), (b) or (c), and that certification is relied upon by other operators (*i.e.*, contractors) at

[1] Section 9 of the ESA prohibits any person from ''taking'' a listed species (*e.g.*, harassing or harming it) unless: (1) The taking is authorized through a ''incidental take statement'' as part of undergoing ESA § 7 formal consultation; (2) where an incidental take permit is obtained under ESA § 10 (which requires the development of a habitat conservation plan); or (3) where otherwise authorized or exempted under the ESA. This prohibition applies to all entities including private individuals, businesses, and governments.

the site. However, applicants that consider relying on another operator's certification should carefully review that certification along with any supporting information. If an applicant does not believe that the operator's certification provides adequate coverage for the applicant's storm water discharges and storm water discharge-related activities or for the applicant's particular project area, the applicant should provide its own independent certification under Part I.B.3.e.(2)(a), (b), or (c).

*B. Procedures*

To receive coverage under the Construction General Permit, applicants must assess the potential effects of their storm water discharges and storm water discharge-related activities on listed species and their critical habitat. To make this assessment, applicants must follow the steps outlined below prior to completing and submitting Notice of Intent (NOI) form. Applicants who are able to certify eligibility under Parts I.B.3.e.(2)(b), (c) or (d) because of a previously issued ESA section 10 permit, a previously completed ESA section 7 consultation, or because the applicant's activities were already addressed in another operator's certification of eligibility may proceed directly to Step Six.

**Note**—The revised NOI form which was included in the CGP (see 62 FR 29822–29823, June 2, 1997) requires that applicants provide detailed certification information on listed species. That form is still under development and is not expected to be finalized before this permit is issued. Until the revised NOI form is finalized, applicants must use the existing NOI form which does not contain the specific certification provisions relating to listed species and critical habitats at construction projects. However, use of the existing NOI form does not relieve applicants of their obligation to follow the procedures listed below to determine if their construction storm water discharges or storm water discharge-related activities meet permit eligibility requirements for the protection of listed species and critical habitat. By following these instructions, applicants will have sufficient information on listed species and critical habitat in order to complete either the existing or revised NOI form and sign the certification statement.

Step One: Determine if the Construction Site is Found Within Designated Critical Habitat for Listed Species

Some, but not all, listed species have designated critical habitat. Exact locations of such habitat is provided in the Service regulations at 50 CFR Parts 17 and 226. To determine if their construction site occurs within designated critical habitat, applicants should either:

- Contact the nearest Fish and Wildlife Service (FWS) and National Marine Fisheries Service (NMFS) Office. A list of FWS and NMFS offices is found in Section II of this Addendum; or
- Contact the State or Tribal Natural Heritage Centers. These centers compile and disseminate information on Federally listed and other protected species. They frequently have the most current information on listed species and critical habitat. A list of these centers is provided in Section III of this Addendum; or
- Review those regulations (which can be found in many larger libraries).

If the construction site is not located in designated critical habitat, then the applicant does not need to consider impacts to critical habitat when following Steps Two through Six below. If the site is located within critical habitat, then the applicant must look at impacts to critical habitat when following Steps Two through Six. Note that many but not all measures imposed to protect listed species under these steps will also protect critical habitat. Thus, meeting the eligibility requirements of this permit may require measures to protect critical habitat that are separate from those to protect listed species.

Step Two: Determine if Listed Species are Located in the County(ies) Where the Construction Activity Will Occur

Section IV of the Addendum contains a county-by-county list of listed endangered and threatened species (''listed species''), and proposed endangered and threatened species (''proposed species''). Since the list was current as of September 1, 1997, applicants must also check with other sources for updated species and county information. These sources include: Sections II and III of this Addendum; EPA's Office of Wastewater Management's web page at ''http://www.epa.gov/owm'' where updates of the county-by-county list will be posted on a periodic basis; **Federal Register** Notices; State wildlife protection offices; a biologist or similar professional in the environmental field; or any other method which can be reasonably expected to provide this information. Applicants with construction projects located in EPA Region 2 can call the Storm Water General Permits Hotline at (800) 245–6510 for further assistance, while applicants with projects located in EPA Regions 1, 3, 7, 8, 9 and 10 may contact the appropriate EPA Regional Office.

Where a facility is located in more than one county, the lists for all counties should be reviewed. Where a facility discharges into a water body which serves as a border between counties or which crosses a county line which is in the immediate vicinity of the point of discharge, applicants should also review the species list for the county which lies immediately downstream or is across the water body from the point of discharge.

After a review of the available information from the sources mentioned above, if no listed species are located in a facility's county or if a facility's county is not listed, and the construction site is not located in critical habitat as described under Step One, an applicant is eligible for CGP coverage without further inquiry into the presence of, or effect to, listed species. The applicant must check the appropriate certification item on the revised NOI form (Part I.B.3.e.(2)(a)).

Once the applicant has determined which listed species are located in his or her facility's county, the applicant must follow Step Three.

Step Three: Determine if Any Federally Listed Endangered and Threatened Species May Be Present in the Project Area

The project area consists of:

- The areas on the construction site where storm water discharges originate and flow toward the point of discharge into the receiving waters (including areas where excavation, site development, or other ground disturbance activities occur) and the immediate vicinity.

Example(s)

1. Where bald eagles nest in a tree that is on or bordering a construction site and could be disturbed by the construction activity.
2. Where grading causes storm water to flow into a small wetland or other habitat that is on the site which contains listed species.

- The areas where storm water discharges flow from the construction site to the point of discharge into receiving waters.

Example(s)

1. Where storm water flows into a ditch, swale, or gully which leads to receiving waters and where listed species (such as amphibians) are found in the ditch, swale, or gully.

- The areas where storm water from construction activities discharge into receiving waters and the areas in the immediate vicinity of the point of discharge.

Example(s)

1. Where storm water from construction activities discharges into a

stream segment that is known to harbor listed aquatic species.

• The areas where storm water BMPs will be constructed and operated, including any areas where storm water flows to and from BMPs.

Example(s)

1. Where a storm water retention pond would be built.

The protect area will vary with the size and structure of the construction activity, the nature and quantity of the storm water discharges, the storm water discharge-related activities and the type of receiving water. Given the number of construction activities potentially covered by the CGP, no specific method to determine whether listed species may be located in the project area is required for coverage under the CGP. Instead, applicants should use the method which allows them to determine, to the best of their knowledge, whether listed species are located in their project area. These methods may include:

• Conducting visual inspections: This method may be particularly suitable for construction sites that are smaller in size or located in non-natural settings such as highly urbanized areas or industrial parks where there is little or no natural habitat, or for construction activities that discharge directly into municipal storm water collection systems.

• Contacting the nearest State or Tribal wildlife agency, the Fish and Wildlife Service (FWS), or the National Marine Fisheries Service (NMFS). Many endangered and threatened species are found in well-defined areas or habitats. Such information is frequently known to State, Tribal, or Federal wildlife agencies. A list of FWS and NMFS offices is provided in section II of this Addendum below.

• Contacting local/regional conservation groups or the State or Tribal Natural Heritage Centers (see section III of this Addendum). State and local conservation groups may have location specific listed species information. The Natural Heritage Centers inventory species and their locations and maintain lists of sightings and habitats.

• Submitting a data request to a Natural Heritage Center. Many of these centers will provide site specific information on the presence of listed species in a project area. Some of these centers will charge a fee for researching data requests.

• Conducting a formal biological survey. Larger construction sites with extensive storm water discharges may choose to conduct biological surveys as the most effective way to assess whether species are located in the project area and whether there are likely adverse effects. Biological surveys are frequently performed by environmental consulting firms. A biological survey can be used to follow Steps Four through Six of these instructions.

• Conducting an environmental assessment under the National Environmental Policy Act (NEPA). Some construction activities may require environmental assessments under NEPA. Such assessments may indicate if listed species are in the project area. Coverage under the CGP does not trigger such an assessment because the permit does not regulate any dischargers subject to New Source Performance Standards under section 306 of the Clean Water Act, and is thus statutorily exempted from NEPA. *See* CWA section 511(c). However, some construction activities might require review under NEPA because of Federal funding or other Federal involvement in the project.

If no species are found in the project area, an applicant is eligible for CGP coverage. Applicants must provide the necessary certification on the revised NOI form. If listed species are found in the project area, applicants must indicate the location and nature of this presence in the storm water pollution prevention plan and follow Step Four.

Step Four: Determine if Listed Species or Critical Habitat Are Likely To Be Adversely Affected by the Construction Activity's Storm Water Discharges or Storm Water Discharge-Related Activities

To receive CGP coverage, applicants must assess whether their storm water discharges or storm water discharge-related activities are likely to adversely affect listed species or critical habitat. ''Storm water discharge-related activities'' include:

• Activities which cause, contribute to, or result in point source storm water pollutant discharges, including but not limited to excavation, site development, grading, and other surface disturbance activities; and

• Measures to control storm water discharges including the siting, construction, operation of best management practices (BMPs) to control, reduce or prevent storm water pollution.

Potential adverse effects from storm water discharges and storm water discharge-related activities include:

• *Hydrological.* Storm water discharges may cause siltation, sedimentation or induce other changes in receiving waters such as temperature, salinity or pH. These effects will vary with the amount of storm water discharged and the volume and condition of the receiving water. Where a storm water discharge constitutes a minute portion of the total volume of the receiving water, adverse hydrological effects are less likely. Construction activity itself may also alter drainage patterns on a site where construction occurs which can impact listed species or critical habitat.

• *Habitat.* Excavation, site development, grading, and other surface disturbance activities from construction activities, including the installation or placement of storm water BMPs, may adversely affect listed species or their habitat. Storm water may drain or inundate listed species habitat.

• *Toxicity.* In some cases, pollutants in storm water may have toxic effects on listed species.

The scope of effects to consider will vary with each site. If the applicant is having difficulty in determining whether his or her project is likely to adversely affect a listed specie or critical habitat, then the appropriate office of the FWS, NMFS or Natural Heritage Center listed in sections II and III of this Addendum should be contacted for assistance. If adverse effects are not likely, then the applicant should make the appropriate certification on the revised NOI form and apply for coverage under the permit. If adverse effects are likely, applicants must follow Step Five.

Step Five: Determine if Measures Can Be Implemented to Avoid Any Adverse Effects

If an applicant makes a preliminary determination that adverse effects are likely, it can still receive coverage under Part I.B.3.e.(2)(a) of the CGP if appropriate measures are undertaken to avoid or eliminate the likelihood of adverse effects prior to applying for permit coverage. These measures may involve relatively simple changes to construction activities such as re-routing a storm water discharge to bypass an area where species are located, relocating BMPs, or by changing the ''footprint'' of the construction activity. Applicants may wish to contact the FWS and/or NMFS to see what appropriate measures might be suitable to avoid or eliminate the likelihood of adverse impacts to listed species and/or critical habitat. (See 50 CFR 402.13(b)). This can entail the initiation of informal consultation with the FWS and/or NMFS which is described in more detail in Step Six.

If applicants adopt measures to avoid or eliminate adverse affects, they must continue to abide by those measures during the course of permit coverage. These measures must be described in

the storm water pollution prevention plan and may be enforceable as permit conditions. If appropriate measures to avoid the likelihood of adverse effects are not available to the applicant, the applicant must follow Step Six.

Step Six: Determine if the Eligibility Requirements of Part I.B.3.e.(2)(b)–(d) Can Be Met

Where adverse effects are likely, the applicant must contact the EPA and FWS/NMFS. Applicants may still be eligible for CGP coverage if any likely adverse effects can be addressed through meeting the criteria of Part I.B.3.e.(2)(b)–(d) of the permit. These criteria are as follows:

1. *An ESA Section 7 Consultation Is Performed for the Applicant's Activity (See Part I.B.3.e.(2)(b).*

Formal or informal ESA section 7 consultation is performed with the FWS and/or NMFS which addresses the effects of the applicant's storm water discharges and storm water discharge-related activities on listed species and critical habitat. The formal consultation must result in either a ''no jeopardy opinion'' or a ''jeopardy opinion'' that identifies reasonable and prudent alternatives to avoid jeopardy which are to be implemented by the applicant. The informal consultation must result in a written concurrence by the Service(s) on a finding that the applicant's storm water discharge(s) and storm water discharge-related activities are not likely to adversely affect listed species or critical habitat (for informal consultation, *see* 50 CFR 402.13).

Most consultations are accomplished through informal consultation. By the terms of this permit, EPA has automatically designated applicants as non-Federal representatives for the purpose of conducting informal consultations. *See* Part I.B.3.e.(5) and 50 CFR 402.08 and 402.13. When conducting informal ESA section 7 consultation as a non-Federal representative, applicants must follow the procedures found in 50 CFR 402 of the ESA regulations.

Applicants must also notify EPA and the Services of their intention and agreement to conduct consultation as a non-Federal representative. Consultation may occur in the context of another Federal action at the construction site (*e.g.*, where ESA section 7 consultation was performed for issuance of a wetlands dredge and fill permit for the project or where a NEPA review is performed for the project which incorporates a section 7 consultation). Any terms and conditions developed through consultations to protect listed species and critical habitat must be incorporated into the SWPPP. As noted above, applicants may, if they wish, initiate consultation with the Services at Step Five.

Whether ESA section 7 consultation must be performed with either the FWS, NMFS or both Services depends on the listed species which may be affected by the applicant's activity. In general, NMFS has jurisdiction over marine, estuarine, and anadromous species. Applicants should also be aware that while formal section 7 consultation provides protection from incidental takings liability, informal consultation does not.

2. *An Incidental Taking Permit Under Section 10 of the ESA is Issued for the Applicants Activity (See Part I.B.3.e.(2)(c)).*

The applicant's construction activities are authorized through the issuance of a permit under section 10 of the ESA and that authorization addresses the effects of the applicant's storm water discharge(s) and storm water discharge-related activities on listed species and critical habitat. Applicants must follow FWS and/or NMFS procedures when applying for an ESA Section 10 permit (see 50 CFR section 17.22(b)(1)(FWS) and section 222.22(NMFS)). Application instructions for section 10 permits for NMFS species can be obtained by (1) accessing the ''Office of Protected Resources'' sector of the NMFS Home Page at ''http://www.nmfs.gov'' or (2) by contacting the National Marine Fisheries Service, Office of Protected Resources, Endangered Species Division, F/PR3,1315 East-West Highway, Silver Spring, Maryland 20910, telephone (301) 713–1401, fax (301) 713–0376.

3. *The Applicant is Covered Under the Eligibility Certification of Another Operator for the Project Area (See Part I.B.3.e.(2)(d)).*

The applicant's storm water discharges and storm water discharge-related activities were already addressed in another operator's certification of eligibility under Part I.B.3.e.(2)(b), or (c) which also included the applicant's project area. By certifying eligibility under Part I.B.3.e.(2)(d), the applicant agrees to comply with any measures or controls upon which the other operator's certification under Part I.B.3.e.(2)(a), (b) or (c) was based. Certification under Part I.B.3.e.(2)(d) is discussed in more detail in section I.A. of this addendum.

The applicant must comply with any terms and conditions imposed under the eligibility requirements of paragraphs I.B.3.e(2)(a), (b), (c), (d) to ensure that its storm waters discharges and storm water discharge-related activities are protective of listed species and/or critical habitat. Such terms and conditions must be incorporated in the project's SWPPP. If the eligibility requirements of Part I.B.3.e.(2)(a)–(d) cannot be met, then the applicant may not receive coverage under the CGP. Applicants should then consider applying to EPA for an individual permit.

## II. List of Fish and Wildlife Service and National Marine Fisheries Service Offices

### *A. U.S. Fish and Wildlife Service Offices*

### National Website for Endangered Species Information

Endangered Species Home page: http://www.fws.gov/~r9endspp/endspp.html.

### *Regional, State, Field and Project Offices*

#### Region 1

*Regional Office*

Division Chief, Endangered Species, U.S. Fish and Wildlife Service, ARD Ecological Services, 911 NE 11 Avenue, Portland, OR 97232–4181, (503) 231–6121

*State, Field and Project Offices*

Field Supervisor, U.S. Fish and Wildlife Service, P.O. Box 50088, 300 Ala Moana Blvd., Rm 3108, Honolulu, HI 96850

Field Supervisor, U.S. Fish and Wildlife Service, Upper Columbia R. Basin F&W Office, 11103 East Montgomery Drive, Ste 2, Spokane, WA 99306

State Supervisor, U.S. Fish and Wildlife Service, Oregon Fish and Wildlife Office, 2600 S.E 98th Avenue, Suite 100, Portland, OR 97266

Field Supervisor, U.S. Fish and Wildlife Service, Snake River Basin F&W Office, 1387 South Vinnell Way, Room 368, Boise, ID 83709

State Supervisor, U.S. Fish and Wildlife Service, Nevada State Office, 4600 Kietzke Lane, Building C, Rm. 125, Reno, NV 89502–5093

State Supervisor, U.S. Fish and Wildlife Service, Western Washington F&W Office, 510 Desmond Dr., Suite 102, Lacey, WA 98503–1273

Field Supervisor, U.S. Fish and Wildlife Service, Klamath Falls F&W Office, 6600 Washburn Way, Klamath Falls, OR 97603

Field Supervisor, U.S. Fish and Wildlife Service, Klamath River F&W Office, 1215 South Main, Suite 212, Yreka, CA 96097–1006

Field Supervisor, U.S. Fish and Wildlife Service, Carlsbad Fish and Wildlife Office, 2730 Loker Avenue West, Carlsbad, CA 92008

Field Supervisor, U.S. Fish and Wildlife Service, Ventura Field Office, 2493 Portola Road, Suite B, Ventura, CA 93003

Project Leader, U.S. Fish and Wildlife Service, Coastal California Fish and

Wildlife Office, 1125 16th St., Rm. 209, Arcata, CA 95521–5582
Project Leader, U.S. Fish and Wildlife Service, Northern Central Valley F&W Office, 10959 Tyler Road, Red Bluff, CA 96080
State Supervisor, U.S. Fish and Wildlife Service, California State Office, 3310 El Camino Avenue, Suite 120, Sacramento, CA 95821–6340
Field Supervisor, U.S. Fish and Wildlife Service, Sacramento Fish & Wildlife Office, 3310 El Camino Avenue, Suite 120, Sacramento, CA 95821–6340

**Region 2**

*Regional Office*

Division Chief, Endangered Species, U.S. Fish and Wildlife Service, ARD Ecological Services, P.O. Box 1306, Albuquerque, NM 87103

*State, Field, and Project Offices*

Field Supervisor, U.S. Fish and Wildlife Service, Corpus Christi Field Office, 6300 Ocean Dr., Campus Box 338, Corpus Christi, TX 78412
Field Supervisor, U.S. Fish and Wildlife Service, Arlington Field Office, 711 Stadium Dr., East, Suite 252, Arlington, TX 76011
Field Supervisor, U.S. Fish and Wildlife Service, Clear Lake Field Office, 17629 El Camino Real, Suite 211, Houston, TX 77058
Field Supervisor, U.S. Fish and Wildlife Service, Oklahoma Field Office, 222 S. Houston, Suite A, Tulsa, OK 74127
Field Supervisor, U.S. Fish and Wildlife Service, New Mexico Field Office, 2105 Osuna, NE, Albuquerque, NM 87113
Field Supervisor, U.S. Fish and Wildlife Service, Austin Ecological Serv. Field Office, 10711 Burnet Road, Suite 200, Austin, TX 78758
Field Supervisor, U.S. Fish and Wildlife Service, Arizona State Office, 2321 W. Royal Palm Road, Suite 103, Phoenix, AZ 85021–4951

**Region 3**

*Regional Office*

Division Chief, Endangered Species, U.S. Fish and Wildlife Service, ARD Ecological Service, BHW Federal Bldg, 1 Federal Drive, Fort Snelling, MN 55111–4056

*State, Field, and Project Offices*

Field Supervisor, U.S. Fish and Wildlife Service, Chicago, Illinois Field Office, 1000 Hart Rd., Suite 180, Barrington, IL 60010
Field Supervisor, U.S. Fish and Wildlife Service, East Lansing Field Office, 2651 Coolidge Road, East Lansing, MI 48823
Field Supervisor, U.S. Fish and Wildlife Service, Reynoldsburg Field Office, 6950 Americana Parkway, Suite H, Reynoldsburg, OH 43068–4132
Field Supervisor, U.S. Fish and Wildlife Service, Bloomington Field Office, 620 South Walker Street, Bloomington, IN 47403–2121
Field Supervisor, U.S. Fish and Wildlife Service, Twin Cities E.S. Field Office, 4101 East 80th Street, Bloomington, MN 55425–1665
Field Supervisor, U.S. Fish and Wildlife Service, Columbia Field Office, 608 East Cherry Street, Room 200, Columbia, MO 65201–7712
Field Supervisor, U.S. Fish and Wildlife Service, Green Bay Field Office, 1015 Challenger Court, Green Bay, WI 54311–8331
Field Supervisor, U.S. Fish and Wildlife Service, Rock Island Field Office, 4469 48th Avenue Court, Rock Island, IL 61201
Field Supervisor, U.S. Fish and Wildlife Service, Marion Suboffice, Route 3, Box 328, Marion, IL 62959–4565

**Region 4**

*Regional Office*

Division Chief, Endangered Species, U.S. Fish and Wildlife Service, ARD Ecological Services, 1875 Century Blvd., Suite 200, Atlanta, GA 30345

*State, Field, and Project Offices*

Field Supervisor, U.S. Fish and Wildlife Service, Panama City Field Office, 1612 June Avenue, Panama City, FL 32405–3721
Field Supervisor, U.S. Fish and Wildlife Service, South Florida Ecosystem Field Office, 1360 U.S. Hwy 1, #5; P.O. Box 2676, Vero Beach, FL 32961–2676
Field Supervisor, U.S. Fish and Wildlife Service, Caribbean Field Office, P.O. Box 491, Boqueron, PR 00622
Field Supervisor, U.S. Fish and Wildlife Service, Puerto Rican Parrot Field Office, P.O. Box 1600, Rio Grande, PR 00745
Field Supervisor, U.S. Fish and Wildlife Service, Brunswick Field Office, 4270 Norwich Street, Brunswick, GA 31520–2523
Field Supervisor, U.S. Fish and Wildlife Service, Jacksonville Field Office, 6620 Southpoint Drive S., Suite 310, Jacksonville, FL 32216–0912
Field Supervisor, U.S. Fish and Wildlife Service, Charleston Field Office, 217 Ft. Johnson Road, P.O. Box 12559, Charleston, SC 29422–2559
Field Supervisor, U.S. Fish and Wildlife Service, Clemson F.O., Dept. of Forest Resources, 261 Lehotsky Hall, Box 341003, Clemson, SC 29634–1003
Field Supervisor, U.S. Fish and Wildlife Service, Ralph Field Office, P.O. Box 33726, Raleigh, NC 27636–3726
Field Supervisor, U.S. Fish and Wildlife Service, Cookeville Field Office, 446 Neal Street, Cookeville, TN 38501
Field Supervisor, U.S. Fish and Wildlife Service, Asheville Field Office, 160 Zillicoa Street, Ashevile, NC 28801
Field Supervisor, U.S. Fish and Wildlife Service, Daphne Field Office, P.O. Drawer 1190, Daphne, AL 36526
Field Supervisor, U.S. Fish and Wildlife Service, Vicksburg Field Office, 2524 S. Frontage Road, Suite B, Vicksburg, MS 39180–5269
Field Supervisor, U.S. Fish and Wildlife Service, Lafayette Field Office, Brandywine II, Suite 102, 825 Kaliste Saloom Road, Lafayette, LA 70508
Field Supervisor, U.S. Fish and Wildlife Service, Jackson Field Office, 6578 Dogwood View Pkwy, Suite A, Jackson, MS 39213

**Region 5**

*Regional Office*

Division Chief, Endangered Species, U.S. Fish and Wildlife Service, ARD Ecological Services, 300 Westgate Center Drive, Hadley, MA 01035–9589

*State, Field and Project Offices*

Project Leader, U.S. Fish and Wildlife Service, Delaware Bay Estuary Project, 2610 Whitehall Neck Road, Smyrna, DE 19977
Project Leader, U.S. Fish and Wildlife Service, Southern New England/NYBCE Program, Shoreline Plaza, Route 1A, P.O. Box 307, Charlestown, RI 02813
Project Leader, U.S. Fish and Wildlife Service, Gulf of Maine Project, 4 R Fundy Road, Falmouth, ME 04105
Project Leader, U.S. Fish and Wildlife Service, Chesapeake Bay Field Office, 177 Admiral Cochrane Drive, Annapolis, Maryland 21401
Project Leader, U.S. Fish and Wildlife Service, Virginia Field Office, P.O. Box 99, 6669 Short Lane, Gloucester, VA 23061
Project Leader, U.S. Fish and Wildlife Service, Southwestern Virginia Field Office, P.O. Box 2345, Abingdon, VA 24212
Project Leader, U.S. Fish and Wildlife Service, New England Field Office, 22 Bridge St., Unit #1, Concord, New Hampshire 03301–4986
Project Leader, U.S. Fish and Wildlife Service, Main Field Office, 1033 South Main St., Old Town, Maine 04468
Project Leader, U.S. Fish and Wildlife Service, Rhode Island Field Office, Shoreline Plaza, Route 1A; P.O. Box 307, Charlestown, Rhode Island 02813
Project Leader, U.S. Fish and Wildlife Service, Vermont Field Office, 11 Lincoln Street, Winston Prouty Federal Building, Essex Junction, VT 05452
Project Leader, U.S. Fish and Wildlife Service, New Jersey Field Office, 927 North Main St., Bldg. D1, Pleasantville, New Jersey 08232
Project Leader, U.S. Fish and Wildlife Service, New York Field Office, 3817 Luker Road, Cortland, New York 13045
Project Leader, U.S. Fish and Wildlife Service, Long Island Field Office, P.O. Box 608, Islip, New York 11751–0608
Project Leader, U.S. Fish and Wildlife Service, Pennsylvania Field Office, 315 S. Allen St., Suite 322, State College, Pennsylvania 16801
Project Leader, U.S. Fish and Wildlife Service, Eastern Pennsylvania Field Office, 11 Hap Arnold Boulevard, Box H, Tobyhanna, Pennsylvania 18466–0080
Project Leader, U.S. Fish and Wildlife Service, West Virginia Field Office, Route 250, S—Elkins Shopping Plaza, Elkins, West Virginia 26241

**Region 6**

*Regional Office*

Division Chief, Endangered Species, U.S. Fish and Wildlife Service, ARD Ecological Services, P.O. Box 25486, DFC, Denver, CO 80225

*State, Field, and Project Offices*

Field Supervisor, U.S. Fish and Wildlife Service, Montana Field Office, 100 N. Park, Suite 320, Helena, MT 59601

Sub-Office Supervisor, U.S. Fish and Wildlife Service, Billings Sub-Office, 2900 4th Ave., North, Rm 301, Billings, MT 59101

Sub-Office Supervisor, U.S. Fish and Wildlife Service, Kalispell Sub-Office, 780 Creston Hatchery Road, Kalispell, MT 59901

Grizzly Bear Recovery Coordinator, U.S. Fish and Wildlife Service, Forestry Sciences Lab, University of Montana, Missoula, MT 59812

Field Supervisor, U.S. Fish and Wildlife Service, North Dakota Field Office, 1500 Capitol Avenue, Bismarck, ND 58501

Field Supervisor, U.S. Fish and Wildlife Service, Nebraska Field Office, 203 W. 2nd Street, Federal Bldg., 2nd Floor, Grand Island, NE 68801

Field Supervisor, U.S. Fish and Wildlife Service, Kansas Field Office, 315 Houston, Suite E, Manhattan, KS 66502

Field Supervisor, U.S. Fish and Wildlife Service, South Dakota Field Office, 420 S. Garfield Ave., Suite 400, Pierre, SD 57501–5408

Field Supervisor, U.S. Fish and Wildlife Service, Salt Lake City Field Office, Lincoln Plaza, 145 East 1300 South, Suite 404, Salt Lake City, UT 84115

Field Supervisor, U.S. Fish and Wildlife Service, Colorado Field Office, 730 Simms, Suite 290, Golden, CO 80401–4798

Field Supervisor, U.S. Fish and Wildlife Service, Western Colorado Field Office, 764 Horizon Drive South, Annex A, Grand Junction, CO 81506–3946

Field Supervisor, U.S. Fish and Wildlife Service, Wyoming Field Office, 4000 Morrie Avenue, Cheyenne, WY 82001

E.S. Coordinator, U.S. Fish and Wildlife Service, Rocky Mountain Arsenal, National Wildlife Area, Building 111, Commerce City, CO 80022–1748

Colorado River Recovery Coordinator, U.S. Fish and Wildlife Service, P.O. Box 25486, DFC, Denver, CO 80225

U.S. Fish and Wildlife Service, Laramie Black Footed Ferret Office, 410 Grand Ave., Suite 315, Laramie, WY 80270

**Region 7**

*Regional Office*

Division Chief, Endangered Species, U.S. Fish and Wildlife Service, ARD Ecological Services, 1011 E. Tudor Road, Anchorage, AK 99503

*State, Field, and Project Offices*

Field Supervisor, U.S. Fish and Wildlife Service, Ecological Services, 605 West 4th Avenue, Room G–62, Anchorage, AK 99501

Field Supervisor, U.S. Fish and Wildlife Service, Ecological Services, 101 12th Avenue, Box 19 (Room 232), Fairbanks, AK 99701

Field Supervisor, U.S. Fish and Wildlife Service, Ketchikan Sub-office, 103 Main Street, P.O. Box 3193, Ketchikan, AK 99901

Field Supervisor, U.S. Fish and Wildlife Service, Ecological Services, 300 Vintage Blvd., Suite 201, Juneau, AK 99801

**Region 8**

Has not yet been created out of the other U.S. Fish and Wildlife Service Regions at the time of this posting.

**Region 9**

Janet Ady—Outreach, U.S. Fish and Wildlife Service, National Conservation Training Center, Route 3, Box 49, Kearneysville, WV 25430

Dan Benfield—Training, U.S. Fish and Wildlife Service, National Conservation Training Center, Route 3, Box 49, Kearneysville, WV 25430

*B. National Marine Fisheries Service Offices*

The National Marine Fisheries Service is a developing a database to provide county and territorial water (up to three miles offshore) information on the presence of endangered and threatened species and critical habitat. the database is projected to be available to the public early 1998. The database should be found at the ''Office of Protected Resources'' site on the NMFS homepage at ''http://www.nmfs.gov''.

*Regional and Field Offices*

**Northeast Region**

Protected Resources Program, National Marine Fisheries Service, Northeast Region, One Blackburn Drive, Gloucester, Massachusetts 01930

Milford Field Office, National Marine Fisheries Service, 212 Rogers Avenue, Milford, Connecticut 06460

Oxford Field Office, National Marine Fisheries Service, 904 So. Morris Street, Oxford, Maryland 21654

Sandy Hook Field Office, James J. Howard Marine Sciences, Laboratory, National Marine Fisheries Service, 74 Magruder Road, Highlands, New Jersey 07732

Protected Species Branch, National Marine Fisheries Service, Northeast Fisheries Science Center, 166 Water Street, Woods Hole, Massachusetts 02543

**Southeast Region**

Protective Species Management Branch, National Marine Fisheries Service, Southeast Region, 9721 Executive Center Drive, St. Petersburg, Florida 33702–2432

**Northwest Region**

Protected Species Division, National Marine Fisheries Service, Northwest Region, 525 NE Oregon, Suite 500, Portland, Oregon 97232–2737

Boise Field Office, National Marine Fisheries Service, 1387 S. Vinnel Way, Suite 377, Boise, Idaho 83709

Olympia Field Office, National Marine Fisheries Service, 510 Desmond Drive, SE, Suite 103, Lacey, Washington 98503

Roseburg Field Office, National Marine Fisheries Service, 2900 Stewart Parkway, NW., Roseburg, Oregon 97470

Rufus Field Office, National Marine Fisheries Service, P.O. Box 67, 704 ''E'' 1st, Rufus, Oregon 97050

**Southwest Region**

Protected Species Management Division, Southwest Region, National Marine Fisheries Service, 501 West Ocean Blvd., Suite 4200, Long Beach, California 90802–4213

Arcata Field Office, National Marine Fisheries Service, 1125 16th Street, Room 209, Arcata, California 95521

Eureka Field Office, National Marine Fisheries Service, 1330 Bayshore Way, Eureka, California 95501

Pacific Island Area Field Office, National Marine Fisheries Service, 2570 Dole Street, Room 106, Honolulu, Hawaii 96822–2396

Santa Rosa Field Office, Protected Resources Program, National Marine Fisheries Service, 777 Sonoma Avenue, Room 325, Santa Rosa, California 95404

**Alaska Region**

Protected Resources Management Division, Alaska Region, National Marine Fisheries Service, 709 West 9th Street, Federal Building 461, P.O. Box 21767, Juneau, Alaska 99802

Anchorage Office, 222 West 7th Avenue, Box 10, Anchorage, Alaska 99513–7577

## III. Natural Heritage Centers

The Natural Heritage Network comprises 85 biodiversity data centers throughout the Western Hemisphere. These centers collect, organize, and share data relating to endangered and threatened species and habitat. The network was developed to inform land-use decisions for developers, corporations, conservationists, and government agencies and is also consulted for research and educational purposes. The centers maintain a Natural Heritage Network Control Server Website (http://www.heritage.tnc.org) which provides website and other access to a large number of specific biodiversity centers. Some of these centers are listed below:

**Alabama Natural Heritage Program**

Huntingdon College, Massey Hall, 1500 East Fairview Avenue, Montgomery, AL 36106–2148, (334) 834–4519, Fax: (334) 834–5439, Internet: alnhp@wsnet, com

**Alaska Natural Heritage Program**

University of Alaska Anchorage, 707 A Street, Anchorage, AK 99501, 907/257–2702, Fax: 907/258–9139, Program Director: David Duffy, 257–2707, Internet: afdcd1@orion.alaska.edu

**Arizona Heritage Data Management System**

Arizona Game & Fish Department, WM–H, 2221 W. Greenway Road, Phoenix, AZ 85023, 602/789–3612, Fax: 602/789–3928, Internet: hdms@gf.state.az.us, Internet: hdms1@gf.state.az.us

**Arkansas Natural Heritage Commission**

Suite 1500 Tower Building, 323 Center Street, Little Rock, AR 72201, 501/324–9150, Fax: 501/324–9618,
Director: Harold K. Grimmett, –9614

**California Natural Heritage Division**

Department of Fish & Game, 1220 S Street, Sacramento, CA 95814, 5916/322–2493, Fax: 916/324–0475

**Colorado Natural Heritage Program**

Colorado State University, 254 General Services Building, Fort Collins, CO 80523, 970/491–1309, Fax: 970/491–3349

**Connecticut Natural Diversity Database**

Natural Resources Center, Department of Environmental Protection, 579 Elm Street, Store Level, Hartford, CT 06106–5127, 860/424–3540, Fax: 860/424–4058

**Delaware Natural Heritage Program**

Division of Fish & Wildlife, Department of Natural Resources & Environmental Control, 4876 Hay Point Landing Road, Smyrna, DE 19977, 302/653–2880, Fax: 302/653–3431

**District of Columbia Natural Heritage Program**

13025 Riley's Lock Road, Poolesville, MD 20837, 301/427–1320, Fax: 301/427–1355

**Florida Natural Areas Inventory**

1018 Thomasville Road, Suite 200–C, Tallahassee, FL 32303, 904/224–8207, Fax: 904/681–9364

**Florida Natural Areas Inventory**

Eglin Air Force Base, P.O. Box 1150, Niceville, FL 32588, 904/883–6451, Fax: 904/682–8381

**Georgia Natural Heritage Program**

Wildlife Resources Division, Georgia Department of Natural Resources, 2117 U.S. Highway 278 S.E., Social Circle, GA 30279, 706/557–3032 or 770/918–6411, Fax: 706/557–3033 or 706/557–3040, Internet: natural __heritage@mail.dnr.state.ga.us

**Hawaii Natural Heritage Program**

The Nature Conservancy of Hawaii, 1116 Smith Street, Suite 201, Honolulu, HI 96817, 808/537–4508, Fax: 808/545–2019

**Idaho Conservation Data Center**

Department of Fish & Game, 600 South Walnut Street, Box 25, Boise, ID 83707–0025, 208/334–3402, Fax: 208/334–2114

**Illinois Natural Heritage Division**

Department of Natural Resources, Division of Natural Heritage, 524 South Second Street, Springfield, IL 62701–1787, 217/785–8774, Fax: 217/785–8277

**Illinois Nature Preserves Commission**

Director: Carolyn Grosboll, Deputy Dir/Steward: Randy Heidorn, Deputy Dir/Protect: Don McFall, Office Specialist: Karen Tish, 217/785–8774, Fax: 217/785–8277

**Indiana Natural Heritage Data Center**

Division of Nature Preserves, Department of Natural Resources, 402 West Washington Street, Room W267, Indianapolis, IN 46204, 317/232–4052, Fax: 317/233–0133

**Iowa Natural Areas Inventory**

Department of Natural Resources, Wallace State Office Building, Des Moines, IA 50319–0034, Fax: 515/281–6794, Coordinator/Zoologist: Daryl Howell, 515/281–8524

**Kansas Natural Heritage Inventory**

Kansas Biological Survey, 2041 Constant Avenue, Lawrence, KS 66047–2906, 913/864–3453, Fax: 913/864–5093

**Kentucky Natural Heritage Program**

Kentucky State Nature Preserves, Commission, 801 Schenkel Lane, Frankfort, KY 40601, 502/573–2886, Fax: 502/573–2355

**Louisiana Natural Heritage Program**

Department of Wildlife & Fisheries, P.O. Box 98000, Baton Rouge, LA 70898–9000, 504/765–2821, Fax: 504/765–2607

**Maine Natural Areas Program**

Department of Conservation, (FedEx/UPS: 159 Hospital Street), 93 State House Station, Augusta, ME 04333–0093, 207/287–8044, Fax: 207/287–8040, Internet: mnap@state.me.us, Web site: http://www.state.me.us/doc/mnap/home.htm

**Maryland Heritage & Biodiversity Conservation Programs**

Department of Natural Resources, Tawes State Office Building, E–1, Annapolis, MD 21401, 410/260–8540, Fax: 410/260–8595, Web site: http://www.heritage.tnc.org/nhp/us/md/

**Massachusetts Natural Heritage & Endangered Species Program**

Division of Fisheries & Wildlife, Route 135, Westborough, MA 01581, 508/792–7270 ext. 200, Fax: 508/792–7275

**Michigan Natural Features Inventory**

Mason Building, 5th floor, (FedEx/UPS: 530 W. Allegan, 48933), Box 30444, Lansing, MI 48909–7944, 517/373–1552, Fax: 517/373–6705, Director: Leni Wilsmann, 373–7565, Internet: wilsmanl@wildlife.dnr.state.mi.us

**Minnesota Natural Heritage & Nongame Research**

Department of Natural Resources, 500 Lafayette Road, Box 7, St Paul, MN 55155, 612/297–4964, Fax: 612/297–4961

**Mississippi Natural Heritage Program**

Museum of Natural Science, 111 North Jefferson Street, Jackson, MS 39201–2897, 601/354–7303, Fax: 601/354–7227

**Missouri Natural Heritage Database**

Missouri Department of Conservation, P.O. Box 180, (FedEx: 2901 West Truman Blvd), Jefferson City, MO 65102–0180, 573/751–4115, Fax: 573/526–5582

**Montana Natural Heritage Program**

State Library Building, 1515 E. 6th Avenue, Helena, MT 59620, 406/444–3009, Fax: 406/444–0581, Internet: mtnhp@nris,msl,mt.gov, Homepage/World Wide Web: http://nris.msl.mt.gov/mtnhp/nhp-dir.html

**Navajo Natural Heritage Program**

P.O. Box 1480, Window Rock, Navajo Nation, AZ 86515, (520) 871–7603, (520) 871–7069 (Fax)

**Nebraska Natural Heritage Program**

Game and Parks Commission, 2200 North 33rd Street, P.O. Box 30370, Lincoln, NE 68503, 402/471–5421, Fax: 402/471–5528

**Nevada Natural Heritage Program**

Department of Conservation & Natural, Resources, 1550 E. College Parkway, Suite 145, Carson City, NV 89706–7921, 702/687–4245, Fax: 702/885–0868

**New Hampshire Natural Heritage Inventory**

Department of Resources & Economic, Development, 172 Pembroke Street, P.O. Box 1856, Concord, NH 03302, 603/271–3623, Fax: 603/271–2629

**New York Natural Heritage Program**

Department of Environmental Conservation, 700 Troy-Schenectady Road, Latham, NY 12110–2400, 518/783–3932, Fax: 518/783–3916, Computer: 518/783–3946

**North Carolina Heritage Program**

NC Department of Environment, Health & Natural Resources, Division of Parks & Recreation, P.O. Box 27687, Raleigh, NC 27611–7687, 919–733–4181, Fax: 919/715–3085

**North Dakota Natural Heritage Inventory**

North Dakota Parks & Recreation Department, 1835 Bismarck Expressway, Bismarck, ND 58504, 701/328–5357, Fax: 701/328–5363

**Ohio Natural Heritage Data Base**

Division of Natural Areas & Preserves, Department of Natural Resources, 1889 Fountain Square, Building F–1, Columbus, OH 43224, 614/265–6453, Fax: 614/267–3096

**Oklahoma Natural Heritage Inventory**

Oklahoma Biological Survey, 111 East Chesapeake Street, University of Oklahoma, Norman, OK 73019–0575, 405/325–1985, Fax: 405/325–7702, Web site: http://obssun02.uoknor.edu/biosurvey/onhi/home.html

**Oregon Natural Heritage Program**

Oregon Field Office, 821 SE 14th Avenue, Portland, OR 97214, 503/731–3070; 230–1221, Fax: 503/230–9639

**Pennsylvania Natural Diversity Inventory (East, West, Central)**

**Pennsylvania Natural Diversity Inventory—East*

The Nature Conservancy, 34 Airport Drive, Middletown, PA 17057, 717/948–3962, Fax: 717/948–3957

**Pennsylvania Natural Diversity Inventory—West*

Western Pennsylvania Conservancy, Natural Areas Program, 316 Fourth Avenue, Pittsburgh, PA 15222, 412/288–2777, Fax: 412/281–1792

**Pennsylvania Natural Diversity Inventory—Central*

Bureau of Forestry, P.O. Box 8552, Harrisburg, PA 17105–8552, 717/783–0388, Fax: 717/783–5109

**Puerto Rico Natural Heritage Program**

Division de Patrimonio Natural, Area de Planificacion Integral, Departamento de Recursos Naturales y Ambientales de Puerto Rico, P.O. Box 5887, Puerta de Tierra, Puerto Rico 00906, Tel: 787–722–1726, Fax: 787–725–9526

**Rhode Island Natural Heritage Program**

Department of Environmental Management, Division of Planning & Development, 83 Park Street, Providence, RI 02903, 401/277–2776, x4308, Fax: 401/277–2069

**South Carolina Heritage Trust**

SC Department of Natural Resources, P.O. Box 167, Columbia, SC 29202, 803/734–3893, Fax: 803/734–6310 (Call first)

**South Dakota Natural Heritage Data Base**

SD Department of Game, Fish & Parks, Wildlife Division, 523 E. Capitol Avenue, Pierre, SD 57501–3182, 605/773–4227, Fax: 605/773–6224

**Tennessee Division of Natural Heritage**

Department of Environment & Conservation, 401 Church Street, Life and Casualty Tower, 8th Floor, Nashville, TN 37243–0447, 615/532–0431, Fax: 615/532–0614

**Texas Biological and Conservation Data System**

3000 South IH–35, Suite 100, Austin, TX 78704, 512/912–7011, Fax: 512/912–7058

**U.S. Virgin Islands Conservation Data Center**

Eastern Caribbean Center, University of the Virgin Islands, No. 2 John Brewers Bay, St. Thomas, VI 00802, (809) 693–1030 [Voice], (809) 693–1025 [Fax], Home Page: cdc.uvi.edu, E-Mail: dbarry@uvi.edu

**Utah Natural Heritage Program**

Division of Wildlife Resources, 1596 West North Temple, Salt Lake City, UT 84116, 801/538–4761, Fax: 801/538–4709

**Vermont Nongame & Natural Heritage Program**

Vermont Fish & Wildlife Department, 103 S. Main Street, 10 South, Waterbury, VT 05671–0501, 802/241–3700, Fax: 802/241–3295

**Virginia Division of Natural Heritage**

Department of Conservation & Recreation, Main Street Station, 1500 E. Main Street, Suite 312, Richmond, VA 23219, 804/786–7951, Fax: 804/371–2674

**Washington Natural Heritage Program**

Department of Natural Resources, (FedEx: 1111 Washington Street, SE), P.O. Box 47016, Olympia, WA 98504–7016, 360/902–1340, Fax: 360/902–1783

**West Virginia Natural Heritage Program**

Department of Natural Resources, Operations Center, Ward Road, P.O. Box 67, Elkins, WV 26241, 304/637–0245, Fax: 304/637–0250

**Wisconsin Natural Heritage Program**

Endangered Resources, Department of Natural Resources, 101 S. Webster Street, Box 7921, Madison, WI 53707, 608/266–7012, Fax: 608/266–2925

**Wyoming Natural Diversity Database**

1604 Grand Avenue, Suite 2, Laramie, WY 82070, 307/745–5026, Fax: 307/745–5026 (Call first), Internet: ''wyndd@lariat.org''

## IV. County/Species List

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/Status |
|---|---|---|---|---|
| **ALASKA** | | | | |
| ALEUTIAN ISLANDS | BIRDS | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| ALEUTIAN ISLANDS | PLANTS | FERN, ALEUTIAN SHIELD | Polystichum aleuticum | L, E |
| ALEUTIANS, EAST | BIRDS | EIDER, STELLER'S | Polysticta stelleri | L, T |
| ALEUTIANS, WEST | BIRDS | EIDER, STELLER'S | Polysticta stelleri | L, T |
| ANCHORAGE AREA | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| FAIRBANKS AREA | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| KENAI PENINSULA | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| MATANUSKA SUSITNA | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| NORTH SLOPE | BIRDS | CURLEW, ESKIMO | Numenius borealis | L, E |
| | | EIDER, SPECTACLED | Somateria fischeri | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| NORTHWEST ARCTIC | BIRDS | EIDER, SPECTACLED | Somateria fischeri | L, T |
| UNORGANIZED BOROUGH | BIRDS | EIDER, SPECTACLED | Somateria fischeri | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| **AMERICAN SAMOA** | | | | |
| AMERICAN SAMOA | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| **ARIZONA** | | | | |
| APACHE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | MINNOW, LOACH | Tiaroga cobitis | L, T, CH |
| | | SPINEDACE, LITTLE COLORADO | Lepidomeda vittata | L, T, CH |
| | | TROUT, APACHE | Salmo apache | L, T |
| | PLANTS | FLEABANE, ZUNI | Erigeron rhizomatus | L, T |
| | | SEDGE, NAVAJO | Carex specuicola | L, T, CH |
| COCHISE | AMPHIBIANS | SALAMANDER, SONORA TIGER | Ambystoma tigrinum | L, E |
| | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | FLYCATCHER, SOUTHWESTERN WILLOW | Empiodonax traillii extimus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | CATFISH, YAQUI | Ictalurus pricei | L, T, CH |
| | | CHUB, YAQUI | Gila purpurea | L, E, CH |
| | | PUPFISH, DESERT | Cyprinodon macularius | L, E, CH |
| | | SHINER, BEAUTIFUL | Notropis formosus | L, T, CH |
| | | TOPMINNOW, GILA (YAQUI) | Poeciliopsis occidentalis | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | MAMMALS | BAT, LESSER (=SANBORN'S) LONG-NOSED. | Leptonycteris sanborni | L, E |
| | | JAGUARUNDI | Felis yagouaroundi tolteca | L, E |
| | | OCELOT | Felis pardalis | L, E |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| | PLANTS | CACTUS, COCHISE PINCUSHION | Coryphantha robbinsorum (=Cochiseia r., Escobaria r.). | L, T |
| | | LADIES'-TRESSES, CANELO HILLS | Spiranthes delitescens | P, E |
| | REPTILES | RATTLESNAKE, NEW MEXICAN RIDGE-NOSED. | Crotalus willardi obscurus | L, T, CH |
| COCONINO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | CHUB, HUMPBACK | Gila cypha | L, E, CH |
| | | SPINEDACE, LITTLE COLORADO | Lepidomeda vittata | L, T |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | MAMMALS | VOLE, HUALAPAI MEXICAN | Microtus mexicanus hualpaiensis | L, E |
| | PLANTS | CACTUS, BRADY PINCUSHION | Pediocactus bradyi | L, E |
| | | CACTUS, SILER PINCUSHION | Pediocactus sileri | L, T |
| | | GROUNDSEL, SAN FRANCISCO PEAKS | Senecio franciscanus | L, T, CH |
| | | MILK-VETCH, SENTRY | Astragalus cremnophylax var cremnophylax | L, E |
| | | MILKWEED, WELSH'S | Asclepias welshii | L, T, CH |
| | | SEDGE, NAVAJO | Carex specuicola | L, T, CH |
| | SNAILS | AMBERSNAIL, KANAB | Oxyloma haydeni kanabensis | L, E |
| GILA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | FLYCATCHER, SOUTHWESTERN WILLOW | Empiodonax traillii extimus | L, E |
| | FISHES | MINNOW, LOACH | Tiaroga cobitis | L, T, CH |
| | | SQUAWFISH, COLORADO | Ptychocheilus lucius | L, E, CH |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | | TOPMINNOW, GILA (YAQUI) | Poeciliopsis occidentalis | L, E |
| | PLANTS | AGAVE, ARIZONA | Agave arizonica | L, E |
| | | CACTUS, ARIZONA HEDGEHOG | Echinocereus triglochidiatus var arizonicus | L, E |
| GRAHAM | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | | PYGMY-OWL, CACTUS FERRUGINOUS | Glaucidiumbrasilianum cactorum | L, E |
| | FISHES | MINNOW, LOACH | Tiaroga cobitis | L, T, CH |
| | | PUPFISH, DESERT | Cyprinodon macularius | L, E, CH |
| | | SPIKEDACE | Meda fulgida | L, T, CH |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | | TOPMINNOW, GILA (YAQUI) | Poeciliopsis occidentalis | L, E |
| | | TROUT, APACHE | Salmo apache | L, T |
| | MAMMALS | BAT, LESSER (=SANBORN'S) LONG-NOSED. | Leptonycteris sanborni | L, E |
| | | JAGUARUNDI | Felis yagouaroundi tolteca | L, E |
| | | OCELOT | Felis pardalis | L, E |
| | | SQUIRREL, MOUNT GRAHAM RED | Tamiasciurus hudsonicus grahamensis | L, E, CH |
| | PLANTS | CLIFFROSE, ARIZONA | Cowania subintegra | L, E |
| GREENLEE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | MINNOW, LOACH | Tiaroga cobitis | L, T, CH |
| | | SPIKEDACE | Meda fulgida | L, T, CH |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | | TROUT, APACHE | Salmo apache | L, T |
| LA PAZ | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | RAIL, YUMA CLAPPER | Rallus longirostris yumanensis | L, E |
| | FISHES | CHUB, BONYTAIL | Gila elegans | L, E, CH |
| | | PUPFISH, DESERT | Cyprinodon macularius | L, E, CH |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| MARICOPA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | | PYGMY-OWL, CACTUS FERRUGINOUS | Glaucidiumbrasilianum cactorum | L, E |
| | | RAIL, YUMA CLAPPER | Rallus longirostris yumanensis | L, E |
| | FISHES | PUPFISH, DESERT | Cyprinodon macularius | L, E, CH |
| | | TOPMINNOW, GILA (YAQUI) | Poeciliopsis occidentalis | L, E |
| | MAMMALS | BAT, LESSER (=SANBORN'S) LONG-NOSED. | Leptonycteris sanborni | L, E |
| | | PRONGHORN, SONORAN | Antilocapra americana sonoriensis | L, E |
| | PLANTS | AGAVE, ARIZONA | Agave arizonica | L, E |
| | | CACTUS, ARIZONA HEDGEHOG | Echinocereus triglochidiatus var arizonicus | L, E |
| | | CLIFFROSE, ARIZONA | Cowania subintegra | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| MOHAVE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | | RAIL, YUMA CLAPPER | Rallus longirostris yumanensis | L, E |
| | FISHES | CHUB, BONYTAIL | Gila elegans | L, E, CH |
| | | CHUB, HUMPBACK | Gila cypha | L, E, CH |
| | | CHUB, VIRGIN RIVER | Gila robusta seminuda | L, E |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | MAMMALS | VOLE, HUALAPAI MEXICAN | Microtus mexicanus hualpaiensis | L, E |
| | PLANTS | CACTUS, SILER PINCUSHION | Pediocactus sileri | L, T |
| | | CLIFFROSE, ARIZONA | Cowania subintegra | L, E |
| | | CYCLADENIA, JONES | Cycladenia humilis var jonesii | L, T |
| | REPTILES | TORTOISE, DESERT | Gopherus (=Xerobates, =Scaptochelys) agassizii. | L, T, CH |
| | SNAILS | AMBERSNAIL, KANAB | Oxyloma haydeni kanabensis | L, E |
| NAVAJO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | CHUB, HUMPBACK | Gila cypha | L, E, CH |
| | | MINNOW, LOACH | Tiaroga cobitis | L, T, CH |
| | | SPINEDACE, LITTLE COLORADO | Lepidomeda vittata | L, T |
| | | TROUT, APACHE | Salmo apache | L, T |
| | MAMMALS | JAGUAR | Panthera onca | L, E |
| | PLANTS | CACTUS, PEEBLES NAVAJO | Pediocactus peeblesianus var peeblesianus | L, E |
| | | GRASS, PARISH'S ALKALI | Puccinellia parishii | P, E |
| | | SEDGE, NAVAJO | Carex specuicola | L, T, CH |
| PIMA | BIRDS | BOBWHITE, MASKED | Colinus virginianus ridgwayi | L, E |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | | PYGMY-OWL, CACTUS FERRUGINOUS | Glaucidiumbrasilianum cactorum | L, E |
| | FISHES | PUPFISH, DESERT | Cyprinodon macularius | L, E, CH |
| | | TOPMINNOW, GILA (YAQUI) | Poeciliopsis occidentalis | L, E |
| | MAMMALS | BAT, LESSER (=SANBORN'S) LONG-NOSED. | Leptonycteris sanborni | L, E |
| | | PRONGHORN, SONORAN | Antilocapra americana sonoriensis | L, E |
| | PLANTS | BLUE-STAR, KEARNEY'S | Amsonia kearneyana | L, E |
| | | CACTUS, NICHOL'S TURK'S HEAD | Echinocactus horizonthalonius var nicholii | L, E |
| | | CACTUS, PIMA PINEAPPLE | Coryphantha scheeri var robustispina | L, E |
| | SNAILS | TALUSSNAIL, SAN XAVIER | Sonorella eremita | L, E |
| PINAL | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PYGMY-OWL, CACTUS FERRUGINOUS | Glaucidiumbrasilianum cactorum | L, E |
| | | RAIL, YUMA CLAPPER | Rallus longirostris yumanensis | L, E |
| | FISHES | MINNOW, LOACH | Tiaroga cobitis | L, T, CH |
| | | PUPFISH, DESERT | Cyprinodon macularius | L, E, CH |
| | | SPIKEDACE | Meda fulgida | L, T, CH |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | | TOPMINNOW, GILA (YAQUI) | Poeciliopsis occidentalis | L, E |
| | MAMMALS | BAT, LESSER (=SANBORN'S) LONG-NOSED. | Leptonycteris sanborni | L, E |
| | PLANTS | CACTUS, ARIZONA HEDGEHOG | Echinocereus triglochidiatus var arizonicus | L, E |
| | | CACTUS, NICHOL'S TURK'S HEAD | Echinocactus horizonthalonius var nicholii | L, E |
| SANTA CRUZ | AMPHIBIANS | SALAMANDER, SONORA TIGER | Ambystoma tigrinum | L, E |
| | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | FLYCATCHER, SOUTHWESTERN WILLOW | Empiodonax traillii extimus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | | PYGMY-OWL, CACTUS FERRUGINOUS | Glaucidiumbrasilianum cactorum | L, E |
| | FISHES | CHUB, SONORA | Gila ditaenia | L, T, CH |
| | | TOPMINNOW, GILA (YAQUI) | Poeciliopsis occidentalis | L, E |
| | MAMMALS | BAT, LESSER (=SANBORN'S) LONG-NOSED. | Leptonycteris sanborni | L, E |
| | | OCELOT | Felis pardalis | L, E |
| | PLANTS | CACTUS, PIMA PINEAPPLE | Coryphantha scheeri var robustispina | L, E |
| | | LADIES'-TRESSES, CANELO HILLS | Spiranthes delitescens | P, E |
| | | UMBEL, HUACHUCA WATER | Lilaeopsis schaffneriana spp recuva | L, E |
| YAVAPAI | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | PUPFISH, DESERT | Cyprinodon macularius | L, E, CH |
| | | SPIKEDACE | Meda fulgida | L, T, CH |
| | | SQUAWFISH, COLORADO | Ptychocheilus lucius | L, E, CH |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | | TOPMINNOW, GILA (YAQUI) | Poeciliopsis occidentalis | L, E |
| | | TROUT, GILA | Salmo gilae | L, E |
| | PLANTS | AGAVE, ARIZONA | Agave arizonica | L, E |
| | | CLIFFROSE, ARIZONA | Cowania subintegra | L, E |
| YUMA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | RAIL, YUMA CLAPPER | Rallus longirostris yumanensis | L, E |
| | FISHES | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | MAMMALS | BAT, LESSER (=SANBORN'S) LONG-NOSED. | Leptonycteris sanborni | L, E |
| | | PRONGHORN, SONORAN | Antilocapra americana sonoriensis | L, E |
| | REPTILES | LIZARD, FLAT-TAILED HORNED | Phrynosoma mcallii | P, T |
| **CALIFORNIA** | | | | |
| ALAMEDA | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | | RAIL, CALIFORNIA CLAPPER | Rallus longirostris obsoletus | L, E |
| | | TERN, CALIFORNIA LEAST | Sterna antillarum browni | L, E |
| | CRUSTACEAN | LINDERIELLA, CALIFORNIA | Linderiella occidentalis | P, E |
| | | SHRIMP, LONGHORN FAIRY | Branchinecta longiantenna | L, E |
| | | SHRIMP, VERNAL POOL FAIRY | Branchinecta lynchi | L, T |
| | FISHES | GOBY, TIDEWATER | Eucyclogobius newberryi | L, E |
| | INSECTS | BUTTERFLY, BAY CHECKERSPOT | Euphydryas editha bayensis | L, T |
| | MAMMALS | FOX, SAN JOAQUIN KIT | Vulpes macrotis mutica | L, E |
| | | MOUSE, SALT MARSH HARVEST | Reithrodontomys raviventris | L, E |
| | PLANTS | BIRD'S-BEAK, PALMATE-BRACTED | Cordylanthes palmatus | L, E |
| | | CLARKIA, PRESIDIO | Clarkia franciscana | L, E |
| | | DUDLEYA, SANTA CLARA VALLEY | Dudleya setchellii | L, E |
| | | FIDDLENECK, LARGE-FLOWERED | Amsinckia grandiflora | L, E, CH |
| | | GOLDFIELDS, CONTRA COSTA | Lasthenia conjugens | L, E |
| | | MANZANITA, PALLID | Arctostaphylos pallida | P, T |
| | | MANZANITA, PALLID | Arctostaphylos pallida | P, T |
| | | NAVARRETIA, FEW-FLOWERED | Navarretia leucocephala ssp. pauciflora | L, E |
| | | NAVARRETIA, MANY-FLOWERED | Navarretia leucocephala ssp. plieantha | L, E |
| | | STONECROP, LAKE COUNTY | Parvisedum leiocarpum | L, E |
| | REPTILES | WHIPSNAKE, ALAMEDA | Masticophis lateralis euryxanthus | P, E |
| ALPINE | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | TROUT, LAHONTAN CUTTHROAT | Salmo clarki henshawi | L, T |
| | | TROUT, PAIUTE CUTTHROAT | Salmo clarki seleniris | L, T |
| AMADOR | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | BUCKWHEAT, IONE | Eriogonum apricum | P, E |
| | | BUCKWHEAT, IONE | Eriogonum apricum | P, E |
| | | MANZANITA, IONE | Arctostaphylos myrtifolia | P, T |
| | | MANZANITA, IONE | Arctostaphylos myrtifolia | P, T |
| BUTTE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | CRUSTACEAN | SHRIMP, CONSERVANCY FAIRY | Brancinecta conservatio | L, E |
| | | SHRIMP, VERNAL POOL TADPOLE | Lepidurus packardi | L, E |
| | FISHES | SALMON, CHINOOK (SACRAMENTO RIVER WINTER RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | STEELHEAD, CALIFORNIA CENTRAL VALLEY POP. | Oncorhynchus mykiss, (Central Valley ESU) | P, E |
| | INSECTS | BEETLE, VALLEY ELDERBERRY LONGHORN. | Desmocerus californicus dimorphus | L, T, CH |
| | PLANTS | MEADOWFOAM, BUTTE COUNTY | Limnanthes floccosa ssp. californica | L, E |
| | | SPURGE, HOOVER'S | Chamaesyce hooveri | L, T |
| | | TUCTORIA, GREEN'S | Tuctoria greenei | L, E |
| | REPTILES | SNAKE, GIANT GARTER | Thamnophis gigas | L, T |
| CALAVERAS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | CRUSTACEAN | SHRIMP, VERNAL POOL TADPOLE | Lepidurus packardi | L, E |
| | PLANTS | MANZANITA, IONE | Arctostaphylos myrtifolia | P, T |
| | | MANZANITA, IONE | Arctostaphylos myrtifolia | P, T |
| COLUSA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | CRUSTACEAN | SHRIMP, VERNAL POOL TADPOLE | Lepidurus packardi | L, E |
| | FISHES | STEELHEAD, CALIFORNIA CENTRAL VALLEY POP. | Oncorhynchus mykiss, (Central Valley ESU) | P, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | INSECTS | BEETLE, VALLEY ELDERBERRY LONGHORN. | Desmocerus californicus dimorphus | L, T, CH |
| | PLANTS | BIRD'S-BEAK, PALMATE-BRACTED | Cordylanthes palmatus | L, E |
| | REPTILES | SNAKE, GIANT GARTER | Thamnophis gigas | L, T |
| CONTRA COSTA | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | RAIL, CALIFORNIA CLAPPER | Rallus longirostris obsoletus | L, E |
| | | TERN, CALIFORNIA LEAST | Sterna antillarum browni | L, E |
| | CRUSTACEAN | LINDERIELLA, CALIFORNIA | Linderiella occidentalis | P, E |
| | | SHRIMP, LONGHORN FAIRY | Branchinecta longiantenna | L, E |
| | | SHRIMP, VERNAL POOL FAIRY | Branchinecta lynchi | L, T |
| | FISHES | GOBY, TIDEWATER | Eucyclogobius newberryi | L, E |
| | | SALMON, CHINOOK (SACRAMENTO RIVER WINTER RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | STEELHEAD, CALIFORNIA CENTRAL VALLEY POP. | Oncorhynchus mykiss, (Central Valley ESU) | P, E |
| | INSECTS | BUTTERFLY, BAY CHECKERSPOT | Euphydryas editha bayensis | L, T |
| | | BUTTERFLY, LANGE'S METALMARK | Apodemia mormo langei | L, E |
| | MAMMALS | FOX, SAN JOAQUIN KIT | Vulpes macrotis mutica | L, E |
| | | MOUSE, SALT MARSH HARVEST | Reithrodontomys raviventris | L, E |
| | PLANTS | DUDLEYA, SANTA CLARA VALLEY | Dudleya setchellii | L, E |
| | | EVENING-PRIMROSE, ANTIOCH DUNES | Oenothera deltoides ssp. howellii | L, E, CH |
| | | FIDDLENECK, LARGE-FLOWERED | Amsinckia grandiflora | L, E, CH |
| | | GOLDFIELDS, CONTRA COSTA | Lasthenia conjugens | L, E |
| | | MANZANITA, PALLID | Arctostaphylos pallida | P, T |
| | | MANZANITA, PALLID | Arctostaphylos pallida | P, T |
| | | NAVARRETIA, FEW-FLOWERED | Navarretia leucocephala ssp. pauciflora | L, E |
| | | NAVARRETIA, MANY-FLOWERED | Navarretia leucocephala ssp. plieantha | L, E |
| | | STONECROP, LAKE COUNTY | Parvisedum leiocarpum | L, E |
| | | WALLFLOWER, CONTRA COSTA | Erysimum capitatum var angustatum | L, E, CH |
| | REPTILES | WHIPSNAKE, ALAMEDA | Masticophis lateralis euryxanthus | P, E |
| COWLITZ | FISHES | STEELHEAD, LOWER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Lower Columbia ESU). | P, T |
| | | STEELHEAD, LOWER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Lower Columbia ESU). | P, T |
| DEL NORTE | AMPHIBIANS | FROG, CALIFORNIA RED-LEGGED | Rana Aurora Draytonii | L, T |
| | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | FISHES | GOBY, TIDEWATER | Eucyclogobius newberryi | L, E |
| | | SALMON, COHO (SOUTHERN OR/NORTHERN CA COAST). | Oncorhynchus kisutch | L, T |
| | INSECTS | BUTTERFLY, OREGON SILVERSPOT | Speyeria zerene hippolyta | L, T, CH |
| | PLANTS | WALLFLOWER, MENZIE'S | Erysimum menziesii | L, E |
| EL DORADO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | CRUSTACEAN | SHRIMP, VERNAL POOL TADPOLE | Lepidurus packardi | L, E |
| | FISHES | TROUT, LAHONTAN CUTTHROAT | Salmo clarki henshawi | L, T |
| | INSECTS | BEETLE, VALLEY ELDERBERRY LONGHORN. | Desmocerus californicus dimorphus | L, T, CH |
| | PLANTS | BEDSTRAW, EL DORADO | Galium californicum ssp. Sierrae | L, E |
| | | BUTTERWEED, LAYNE'S | Senecio layneae | L, T |
| | | CEANOTHUS, PINE HILL | Ceanothus roderickii | L, E |
| | | FLANNELBUSH, PINE HILL | Fremontodendron californicum ssp. decumbens. | L, E |
| | | MORNING-GLORY, STEBBINS | Calystegia stebbinsii | L, E |
| FRESNO | PLANTS | ADOBE SUNBURST, SAN JOAQUIN | Pseudobahia peirsonii | L, T |
| | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | TROUT, LITTLE KERN GOLDEN | Salmo aguabonita whitei | L, T, CH |
| | | TROUT, PAIUTE CUTTHROAT | Salmo clarki seleniris | L, T |
| | INSECTS | BEETLE, VALLEY ELDERBERRY LONGHORN. | Desmocerus californicus dimorphus | L, T, CH |
| | MAMMALS | FOX, SAN JOAQUIN KIT | Vulpes macrotis mutica | L, E |
| | | KANGAROO RAT, FRESNO | Dipodomys nitratoides exilis | L, E, CH |
| | | KANGAROO RAT, GIANT | Dipodomys ingens | L, E |
| | | RAT, FRESNO KANGAROO | Dipodomys nitratoides exilis | L, E, CH |
| | | RAT, GIANT KANGAROO | Dipodomys ingens | L, E |
| | PLANTS | BIRD'S-BEAK, PALMATE-BRACTED | Cordylanthes palmatus | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | CARPENTERIA | Carpenteria californica | P, T |
| | | DUDLEYA, SANTA CLARA VALLEY | Dudleya setchellii | L, E |
| | | GOLDEN SUNBURST, HARTWEG'S | Pseudobahia bahiifolia | L, E |
| | | JEWELFLOWER, CALIFORNIA | Caulanthus californicus | L, E |
| | | OWL'S-CLOVER, FLESHY | Castilleja campestris ssp. succulenta | L, E |
| | | PUSSYPAWS, MARIPOSA | Calyptridium pulchellum | P, E |
| | | WOOLLY-STAR, HOOVER'S | Eriastrum hooveri | L, T |
| | | WOOLLY-THREADS, SAN JOAQUIN | Lembertia congdonii | L, E |
| | REPTILES | LIZARD, BLUNT-NOSED LEOPARD | Gambelia (crotaphytus) silus | L, E |
| | | SNAKE, GIANT GARTER | Thamnophis gigas | L, T |
| GLENN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | CRUSTACEAN | SHRIMP, VERNAL POOL TADPOLE | Lepidurus packardi | L, E |
| | FISHES | SALMON, CHINOOK (SACRAMENTO RIVER WINTER RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | STEELHEAD, CALIFORNIA CENTRAL VALLEY POP. | Oncorhynchus mykiss, (Central Valley ESU) | P, E |
| | INSECTS | BEETLE, VALLEY ELDERBERRY LONGHORN. | Desmocerus californicus dimorphus | L, T, CH |
| | PLANTS | GRASS, HAIRY ORCUTT | Orcuttia pilosa | L, E |
| | | SPURGE, HOOVER'S | Chamaesyce hooveri | L, T |
| | REPTILES | SNAKE, GIANT GARTER | Thamnophis gigas | L, T |
| HOKE | PLANTS | ADOBE SUNBURST, SAN JOAQUIN | Pseudobahia peirsonii | L, T |
| HUMBOLDT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | FISHES | GOBY, TIDEWATER | Eucyclogobius newberryi | L, E |
| | | SALMON, COHO (CENTRAL CALIFORNIA COAST POP). | Oncorhynchus kisutch | L, E |
| | | SALMON, COHO (SOUTHERN OR/NORTHERN CA COAST). | Oncorhynchus kisutch | L, T |
| | | STEELHEAD, NORTHERN CALIFORNIA POPULATION. | Oncorhynchus mykiss, (Northern California ESU). | P, T |
| | PLANTS | LAYIA, BEACH | Layia carnosa | L, E |
| | | LILY, WESTERN | Lilium occidentale | L, E |
| | | WALLFLOWER, MENZIE'S | Erysimum menziesii | L, E |
| | REPTILES | TURTLE, OLIVE (PACIFIC) RIDLEY SEA | Lepidochelys olivacea | L, E, T |
| IMPERIAL | AMPHIBIANS | TOAD, ARROYO SOUTHWESTERN | Bufo microscaphus californicus | L, E |
| | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | RAIL, YUMA CLAPPER | Rallus longirostris yumanensis | L, E |
| | FISHES | CHUB, BONYTAIL | Gila elegans | L, E, CH |
| | | PUPFISH, DESERT | Cyprinodon macularius | L, E, CH |
| | | SQUAWFISH, COLORADO | Ptychocheilus lucius | L, E, CH |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | PLANTS | MILK-VETCH, PIERSON'S | Astragalus magdalenae var. piersonii | P, E |
| | REPTILES | LIZARD, FLAT-TAILED HORNED | Phrynosoma mcallii | P, T |
| | REPTILES | TORTOISE, DESERT | Gopherus (=Xerobates, =Scaptochelys) agassizii. | L, T, CH |
| INYO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | TOWHEE, INYO BROWN | Pipilo fuscus eremophilus | L, T, CH |
| | | VIREO, LEAST BELL'S | Vireo bellii pusillus | L, E, CH |
| | FISHES | CHUB, OWENS TUI | Gila bicolor snyderi | L, E, CH |
| | | DACE, ASH MEADOWS SPECKLED | Rhinichthys osculus nevadensis | L, E, CH |
| | | PUPFISH, OWENS | Cyprinodon radiosus | L, E |
| | | TROUT, LAHONTAN CUTTHROAT | Salmo clarki henshawi | L, T |
| | MAMMALS | VOLE, AMARGOSA | Microtus californicus scirpensis | L, E, CH |
| | PLANTS | CENTAURY, SPRING-LOVING | Centaurium namophilum var. namophilum | L, T, CH |
| | | EVENING-PRIMROSE, EUREKA VALLEY | Oenothera avita ssp. eurekensis | L, E |
| | | GRASS, EUREKA DUNE | Swallenia alexandrae | L, E |
| | | GUMPLANT, ASH MEADOWS | Grindelia fraxino-pratensis | L, T, CH |
| | | IVESIA, ASH MEADOWS | Ivesia eremica | L, T, CH |
| | | MILK-VETCH, FISH SLOUGH | Astragalus lentiginosus var. Piscinensis | P, E |

## IV. COUNTY/SPECIES LIST—Continued

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| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | MILK-VETCH, SHINING | Astragalus lentiginosus var. micans | P, T |
| | | MILK-VETCH, SODAVILLE | Astragalus lentiginosus var. seslquimetralis | P, T |
| | | NITERWORT, AMARGOSA | Nitrophila mohavensis | L, E, CH |
| | REPTILES | TORTOISE, DESERT | Gopherus (=Xerobates, =Scaptochelys) agassizii. | L, T, CH |
| KERN | BIRDS | CONDOR, CALIFORNIA | Gymnogyps californianus | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | FLYCATCHER, SOUTHWESTERN WILLOW | Empiodonax traillii extimus | L, E |
| | | VIREO, LEAST BELL'S | Vireo bellii pusillus | L, E, CH |
| | INSECTS | MOTH, KERN PRIMROSE SPHINX | Euproserpinus euterpe | L, T |
| | MAMMALS | FOX, SAN JOAQUIN KIT | Vulpes macrotis mutica | L, E |
| | | KANGAROO RAT, GIANT | Dipodomys ingens | L, E |
| | | KANGAROO RAT, TIPTON | Dipodomys nitratoides | L, E |
| | | RAT, GIANT KANGAROO | Dipodomys ingens | L, E |
| | | RAT, TIPTON KANGAROO | Dipodomys nitratoides | L, E |
| | PLANTS | CACTUS, BAKERSFIELD | Opuntia treleasei | L, E |
| | | GRASS, PARISH'S ALKALI | Puccinellia parishii | P, E |
| | | JEWELFLOWER, CALIFORNIA | Caulanthus californicus | L, E |
| | | LILY, GREENHORN ADOBE | Fritillaria striata | P, T |
| | | MALLOW, KERN | Eremalche kernensis | L, E |
| | | MONKEY-FLOWER, KELSO CREEK | Mimulus shevockii | P, E |
| | | NAVARRETIA, PIUTE MOUNTAINS | Navarretia setiloba | P, T |
| | | WOOLLY-STAR, HOOVER'S | Eriastrum hooveri | L, T |
| | | WOOLLY-THREADS, SAN JOAQUIN | Lembertia congdonii | L, E |
| | REPTILES | LIZARD, BLUNT-NOSED LEOPARD | Gambelia (Crotaphytus) silus | L, E |
| | | TORTOISE, DESERT | Gopherus (=Xerobates, =Scaptochelys) agassizii. | L, T, CH |
| KINGS | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | MAMMALS | FOX, SAN JOAQUIN KIT | Vulpes macrotis mutica | L, E |
| | | KANGAROO RAT, FRESNO | Dipodomys nitratoides exilis | L, E, CH |
| | | KANGAROO RAT, GIANT | Dipodomys ingens | L, E |
| | | KANGAROO RAT, TIPTON | Dipodomys nitratoides | L, E |
| | | RAT, FRESNO KANGAROO | Dipodomys nitratoides exilis | L, E, CH |
| | | RAT, GIANT KANGAROO | Dipodomys ingens | L, E |
| | | RAT, TIPTON KANGAROO | Dipodomys nitratoides | L, E |
| | PLANTS | JEWELFLOWER, CALIFORNIA | Caulanthus californicus | L, E |
| | | WOOLLY-STAR, HOOVER'S | Eriastrum hooveri | L, T |
| | | WOOLLY-THREADS, SAN JOAQUIN | Lembertia congdonii | L, E |
| | REPTILES | LIZARD, BLUNT-NOSED LEOPARD | Gambelia (Crotaphytus) silus | L, E |
| LAKE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | SPLITTAIL, SACRAMENTO | Pogonichthys macrolepidotus | P, T |
| | PLANTS | COYOTE-THISTLE, LOCH LOMOND | Eryngium constancei | L, T |
| | | GOLDFIELDS, BURKE'S | Lasthenia burkei | L, E |
| | | GRASS, SLENDER ORCUTT | Orcuttia tenuis | L, T |
| LASSEN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | SUCKER, MODOC | Catostomus microps | L, E, CH |
| LOS ANGELELS | PLANTS | CEANOTHUS, VAIL LAKE | Ceanothus ophiochilus | P, T |
| | BIRDS | MOUNTAIN-MAHOGANY, CATALINA ISLAND. | Cerocarpus traskiae | L, E |
| | | MOUNTAIN-MAHOGANY, CATALINA ISLAND. | Cerocarpus traskiae | L, E |
| | | RUSH-ROSE, ISLAND | Helianthemum greenei | L, T |
| | | RUSH-ROSE, ISLAND | Helianthemum greenei | L, T |
| | PLANTS | SANDWORT, MARSH | Arenaria paludicola | L, E |
| | BIRDS | WOODLAND-STAR, SAN CLEMENTE ISLAND. | Lithophragma maximum | L, E |
| | | WOODLAND-STAR, SAN CLEMENTE ISLAND. | Lithophragma maximum | L, E |
| | AMPHIBIANS | TOAD, ARROYO SOUTHWESTERN | Bufo microscaphus californicus | L, E |
| | BIRDS | CONDOR, CALIFORNIA | Gymnogyps californianus | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | FLYCATCHER, SOUTHWESTERN WILLOW | Empiodonax traillii extimus | L, E |
| | | GNATCATCHER, COASTAL CALIFORNIA | Polioptila californica californica | L, T |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | RAIL, LIGHT-FOOTED CLAPPER | Rallus longirostris levipes | L, E |
| | | SHRIKE, SAN CLEMENTE LOGGERHEAD | Lanius ludovicianus mearnsi | L, E |
| | | SPARROW, SAN CLEMENTE SAGE | Amphispiza belli clementeae | L, T |
| | | TERN, CALIFORNIA LEAST | Sterna antillarum browni | L, E |
| | | VIREO, LEAST BELL'S | Vireo bellii pusillus | L, E, CH |
| | FISHES | CHUB, MOHAVE TUI | Gila bicolor mohavensis | L, E |
| | | GOBY, TIDEWATER | Eucyclogobius newberryi | L, E |
| | | STEELHEAD, SOUTHERN CALIFORNIA POPULATION. | Oncorhynchus mykiss, (Southern California ESU). | L, E |
| | | STEELHEAD, SOUTHERN CALIFORNIA POPULATION. | Oncorhynchus mykiss, (Southern California ESU). | L, E |
| | | STICKLEBACK, UNARMORED THREE-SPINE. | Gasterosteus aculeatus williamsoni | L, E |
| | INSECTS | BUTTERFLY, EL SEGUNDO BLUE | Euphilotes (=Shijimiaeoides) battoides allyni | L, E |
| | | BUTTERFLY, PALOS VERDES BLUE | Glaucopsyche lygdamus palosverdesensis | L, E, CH |
| | MAMMALS | FOX, SAN JOAQUIN KIT | Vulpes macrotis mutica | L, E |
| | | MOUSE, PACIFIC POCKET | Perognathus longimembris pacificus | L, E |
| | PLANTS | BARBERRY, NEVIN'S | Berberis nevinii | P, T |
| | | BARBERRY, NEVIN'S | Berberis nevinii | P, T |
| | | BEARGRASS, DEHESA | Nolina interrata | P, T |
| | | BEARGRASS, DEHESA | Nolina interrata | P, T |
| | | BIRD'S-BEAK, SALT MARSH | Cordylanthus maritimus ssp. maritimus | L, E |
| | | BRODIAEA, THREAD-LEAVED | Brodiaea filifolia | P, T |
| | | BROOM, SAN CLEMENTE ISLAND | Lotus dendroideus ssp. traskiae | L, E |
| | | BUSH-MALLOW, SAN CLEMENTE ISLAND | Malacothamnus clementinus | L, E |
| | | CEANOTHUS, VAIL LAKE | Ceanothus ophi0chilus | P, T |
| | | CROWNSCALE, SAN JACINTO VALLEY | Atriplex coronata var. notatior | P, E |
| | | DUDLEYA, MARCESCENT | Dudleya cymosa ssp. marcescens | L, T |
| | | DUDLEYA, SANTA MONICA MOUNTAINS | Dudleya cymosa ssp. ovatifolia | L, T |
| | | FLANNELBUSH, MEXICAN | Fremontodendron mexicanum | P, T |
| | | LARKSPUR, SAN CLEMENTE ISLAND | Delphinium kinkiense | L, E |
| | | MILK-VETCH, BRAUNTON'S | Astragalus brauntonii | L, E |
| | | NAVARRETIA, SPREADING | Navarretia fossalis | P, T |
| | | ONION, MUNZ'S | Allium munzii | P, E |
| | | PAINTBRUSH, SAN CLEMENTE ISLAND INDIAN. | Castilleja grisea | L, E |
| | | PENTACHAETA, LYON'S | Pentachaeta lyonii | P, E |
| | | SPINEFLOWER, SLENDER-HORNED | Centrostegia leptoceras | L, E |
| | | WATERCRESS, GAMBEL'S | Rorippa gambellii | L, E |
| | REPTILES | LIZARD, BLUNT-NOSED LEOPARD | Gambelia (Crotaphytus) silus | L, E |
| | | LIZARD, ISLAND NIGHT | Xantusia (Klaubernina) riversiana | L, T |
| | | TORTOISE, DESERT | Gopherus (=Xerobates, =Scaptochelys) agassizii. | L, T, CH |
| MADERA | PLANTS | ADOBE SUNBURST, SAN JOAQUIN | Pseudobahia peirsonii | L, T |
| | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | TROUT, LAHONTAN CUTTHROAT | Salmo clarki henshawi | L, T |
| | | TROUT, PAIUTE CUTTHROAT | Salmo clarki seleniris | L, T |
| | INSECTS | BEETLE, VALLEY ELDERBERRY LONG-HORN. | Desmocerus californicus dimorphus | L, T, CH |
| | MAMMALS | FOX, SAN JOAQUIN KIT | Vulpes macrotis mutica | L, E |
| | | RAT, FRESNO KANGAROO | Dipodomys nitratoides exilis | L, E, CH |
| | PLANTS | BIRD'S-BEAK, PALMATE-BRACTED | Cordylanthes palmatus | L, E |
| | | GOLDEN SUNBURST, HARTWEG'S | Pseudobahia bahiifolia | L, E |
| | | GRASS, HAIRY ORCUTT | Orcuttia pilosa | L, E |
| | | LUPINE, CLOVER | Lupinus tidestromii | L, E |
| | | OWL'S-CLOVER, FLESHY | Castilleja campestris ssp. succulenta | L, E |
| | | PUSSYPAWS, MARIPOSA | Calyptridium pulchellum | P, E |
| | REPTILES | LIZARD, BLUNT-NOSED LEOPARD | Gambelia (Crotaphytus) silus | L, E |
| MARIN | AMPHIBIANS | FROG, CALIFORNIA RED-LEGGED | Rana Aurora Draytonii | L, T |
| | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | | RAIL, CALIFORNIA CLAPPER | Rallus longirostris obsoletus | L, E |
| | CRUSTACEAN | SHRIMP, CALIFORNIA FRESHWATER | Syncaris pacifica | L, E |
| | FISHES | GOBY, TIDEWATER | Eucyclogobius newberryi | L, E |
| | | SALMON, CHINOOK (SACRAMENTO RIVER WINTER RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, COHO (CENTRAL CALIFORNIA COAST POP). | Oncorhynchus kisutch | L, E |
| | | STEELHEAD, CENTRAL CALIFORNIA POPULATION. | Oncorhynchus mykiss, (Central California Coast ESU). | L, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | STEELHEAD, CENTRAL CALIFORNIA POPULATION. | Oncorhynchus mykiss, (Central California Coast ESU). | L, T |
| | INSECTS | BUTTERFLY, MISSION BLUE | Icaricia icarioides missionensis | L, E |
| | | BUTTERFLY, MYRTLE'S SILVERSPOT | Speyeria zerene myrtleae | L, E |
| | MAMMALS | MOUSE, SALT MARSH HARVEST | Reithrodontomys raviventris | L, E |
| | PLANTS | ALLOCARYA, CALISTOGA | Plagiobothrys strictus | P, E |
| | | ALOPECURUS, SONOMA | Alopecurus aequalis var. sonomensis | P, E |
| | | BLUEGRASS, NAPA | Poa napensis | P, E |
| | | CHECKER-MALLOW, KENWOOD MARSH | Sidalcea oregana ssp. valida | P, E |
| | | CLARKIA, VINE HILL | Clarkia imbricata | P, E |
| | | CLOVER, SHOWY INDIAN | Trifolum amoenum | P, E |
| | | CLOVER, SHOWY INDIAN | Trifolum amoenum | P, E |
| | | DWARF-FLAX, MARIN | Hesperolinon congestum | L, T |
| | | JEWELFLOWER, TIBURON | Streptanthus niger | P, E |
| | | LARKSPUR, BAKER'S | Delphinium bakeri | P, E |
| | | LARKSPUR, BAKER'S | Delphinium bakeri | P, E |
| | | LAYIA, BEACH | Layia carnosa | L, E |
| | | LILY, PITKIN MARSH | Lilium pitkinense | P, E |
| | | LUPINE, CLOVER | Lupinus tidestromii | L, E |
| | | MILK-VETCH, CLARA HUNT'S | Astragalus clarianus | P, E |
| | | PAINTBRUSH, TIBURON | Castilleja affinis ssp. neglecta | L, E |
| | | PAINTBRUSH, TIBURON | Castilleja affinis ssp. neglecta | L, E |
| | | PENTACHAETA, WHITE-RAYED | Pentachaeta bellidiflora | L, E |
| | | SEDGE, WHITE | Carex albida | P, E |
| | | SPINEFLOWER, SONOMA | Chorizanthe valida | L, E |
| MARIPOSA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | INSECTS | BEETLE, VALLEY ELDERBERRY LONGHORN. | Desmocerus californicus dimorphus | L, T, CH |
| | PLANTS | LUPINE, MARIPOSA | Lupinus citrinus var. deflexus | P, E |
| | | PUSSYPAWS, MARIPOSA | Calyptridium pulchellum | P, E |
| MENDOCINO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | FISHES | GOBY, TIDEWATER | Eucyclogobius newberryi | L, E |
| | | STEELHEAD, NORTHERN CALIFORNIA POPULATION. | Oncorhynchus mykiss, (Northern California ESU). | P, T |
| | INSECTS | BUTTERFLY, BEHREN'S SILVERSPOT | Speyeria zerene behrensii | P, E |
| | | BUTTERFLY, LOTIS BLUE | Lycaeides argyrognomon lotis | L, E |
| | MAMMALS | BEAVER, POINT ARENA MOUNTAIN | Aplodontia rufa nigra | L, E |
| | PLANTS | GOLDFIELDS, BURKE'S | Lasthenia burkei | L, E |
| | | GOLDFIELDS, CONTRA COSTA | Lasthenia conjugens | L, E |
| | | NAVARRETIA, FEW-FLOWERED | Navarretia leucocephala ssp. pauciflora | L, E |
| | | NAVARRETIA, MANY-FLOWERED | Navarretia leucocephala ssp. plieantha | L, E |
| | | ROCK-CRESS, MCDONALD'S | Arabis mcdonaldiana | L, E |
| | | SPINEFLOWER, HOWELL'S | Chorizanthe howellii | L, E |
| | | STONECROP, LAKE COUNTY | Parvisedum leiocarpum | L, E |
| | | WALLFLOWER, MENZIE'S | Erysimum menziesii | L, E |
| | REPTILES | TURTLE, OLIVE (PACIFIC) RIDLEY SEA | Lepidochelys olivacea | L, E, T |
| MERCED | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | CRUSTACEAN | LINDERIELLA, CALIFORNIA | Linderiella occidentalis | P, E |
| | | SHRIMP, CONSERVANCY FAIRY | Brancinecta conservatio | L, E |
| | | SHRIMP, VERNAL POOL FAIRY | Branchinecta lynchi | L, T |
| | FISHES | STEELHEAD, CALIFORNIA CENTRAL VALLEY POP. | Oncorhynchus mykiss, (Central Valley ESU) | P, E |
| | INSECTS | BEETLE, VALLEY ELDERBERRY LONGHORN. | Desmocerus californicus dimorphus | L, T, CH |
| | MAMMALS | FOX, SAN JOAQUIN KIT | Vulpes macrotis mutica | L, E |
| | | KANGAROO RAT, FRESNO | Dipodomys nitratoides exilis | L, E, CH |
| | | KANGAROO RAT, GIANT | Dipodomys ingens | L, E |
| | | RAT, FRESNO KANGAROO | Dipodomys nitratoides exilis | L, E, CH |
| | | RAT, GIANT KANGAROO | Dipodomys ingens | L, E |
| | PLANTS | GRASS, COLUSA | Neostapfia colusana | L, T |
| | | GRASS, HAIRY ORCUTT | Orcuttia pilosa | L, E |
| | | OWL'S-CLOVER, FLESHY | Castilleja campestris ssp. succulenta | L, E |
| | | TUCTORIA, GREEN'S | Tuctoria greenei | L, E |
| | REPTILES | LIZARD, BLUNT-NOSED LEOPARD | Gambelia (Crotaphytus) silus | L, E |
| | | SNAKE, GIANT GARTER | Thamnophis gigas | L, T |

## IV. COUNTY/SPECIES LIST—Continued

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| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| MODOC | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | SUCKER, LOST RIVER | Deltistes luxatus | L, E |
| | | SUCKER, MODOC | Catostomus microps | L, E, CH |
| | | SUCKER, SHORTNOSE | Chasmistes brevirostris | L, E |
| | PLANTS | BARBERRY, TRUCKEE | Berberis (=Mahonia) sonnei | L, E |
| MONO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | FISHES | CHUB, OWENS TUI | Gila bicolor snyderi | L, E, CH |
| | | PUPFISH, OWENS | Cyprinodon radiosus | L, E |
| | | TROUT, LAHONTAN CUTTHROAT | Salmo clarki henshawi | L, T |
| | | TROUT, PAIUTE CUTTHROAT | Salmo clarki seleniris | L, T |
| | PLANTS | MILK-VETCH, FISH SLOUGH | Astragalus lentiginosus var. piscinensis | P, E |
| MONTEREY | BIRDS | POTENTILLA, HICKMANN'S | Potentilla hickmanii | P, E |
| | AMPHIBIANS | FROG, CALIFORNIA RED-LEGGED | Rana Aurora Draytonii | L, T |
| | | SALAMANDER, SANTA CRUZ LONG-TOED | Ambystoma macrodactylum croceum | L, E |
| | BIRDS | CONDOR, CALIFORNIA | Gymnogyps californianus | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | | RAIL, CALIFORNIA CLAPPER | Rallus longirostris obsoletus | L, E |
| | | TERN, CALIFORNIA LEAST | Sterna antillarum browni | L, E |
| | | VIREO, LEAST BELL'S | Vireo bellii pusillus | L, E, CH |
| | CRUSTACEAN | LINDERIELLA, CALIFORNIA | Linderiella occidentalis | P, E |
| | | SHRIMP, VERNAL POOL FAIRY | Branchinecta lynchi | L, T |
| | FISHES | GOBY, TIDEWATER | Eucyclogobius newberryi | L, E |
| | | STEELHEAD, SOUTH-CENTRAL CALIFORNIA POP. | Oncorhynchus mykiss, (South-Central Calif. ESU). | L, T |
| | | STEELHEAD, SOUTH-CENTRAL CALIFORNIA POP. | Oncorhynchus mykiss, (South-Central Calif. ESU). | L, T |
| | INSECTS | BUTTERFLY, SMITH'S BLUE | Euphilotes (=Shijimiaeoides) enoptes smithi | L, E |
| | MAMMALS | FOX, SAN JOAQUIN KIT | Vulpes macrotis mutica | L, E |
| | | KANGAROO RAT, GIANT | Dipodomys ingens | L, E |
| | | OTTER, SOUTHERN SEA | Enhydra lutris nereis | L, T |
| | | RAT, GIANT KANGAROO | Dipodomys ingens | L, E |
| | PLANTS | CINQUEFOIL, HICKMAN'S | Potentilla hickmanii | P, E |
| | | CLOVER, MONTEREY | Trifolium trichocalyx | P, E |
| | | CYPRESS, GOWEN | Cupressus goveniana ssp. goveniana | P, T |
| | | DUDLEYA, SANTA CLARA VALLEY | Dudleya setchellii | L, E |
| | | GILIA, MONTEREY | Gilia tenuiflora ssp. arenaria | L, E |
| | | LAYIA, BEACH | Layia carnosa | L, E |
| | | LUPINE, CLOVER | Lupinus tidestromii | L, E |
| | | MILK-VETCH, COASTAL DUNES | Astragalus tener var. titi | P, E |
| | | PIPERIA, YADON'S | Piperia yadonii | P, E |
| | | SPINEFLOWER, MONTEREY | Chorizanthe pungens var. pungens | L, T |
| | | SPINEFLOWER, ROBUST | Chorizanthe robusta var. robusta | L, E |
| | | WALLFLOWER, MENZIE'S | Erysimum menziesii | L, E |
| | REPTILES | LIZARD, BLACK LEGLESS | Anniella pulchra nigra | P, E |
| | | TURTLE, OLIVE (PACIFIC) RIDLEY SEA | Lepidochelys olivacea | L, E, T |
| NAPA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | | RAIL, CALIFORNIA CLAPPER | Rallus longirostris obsoletus | L, E |
| | CRUSTACEAN | LINDERIELLA, CALIFORNIA | Linderiella occidentalis | P, E |
| | | SHRIMP, CALIFORNIA FRESHWATER | Syncaris pacifica | L, E |
| | FISHES | SALMON, CHINOOK (SACRAMENTO RIVER WINTER RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | STEELHEAD, CALIFORNIA CENTRAL VALLEY POP. | Oncorhynchus mykiss, (Central Valley ESU) | P, E |
| | | STEELHEAD, CENTRAL CALIFORNIA POPULATION. | Oncorhynchus mykiss, (Central California Coast ESU). | L, T |
| | | STEELHEAD, CENTRAL CALIFORNIA POPULATION. | Oncorhynchus mykiss, (Central California Coast ESU). | L, T |
| | MAMMALS | FOX, SAN JOAQUIN KIT | Vulpes macrotis mutica | L, E |
| | | MOUSE, SALT MARSH HARVEST | Reithrodontomys raviventris | L, E |
| | PLANTS | ALLOCARYA, CALISTOGA | Plagiobothrys strictus | P, E |
| | | ALOPECURUS, SONOMA | Alopecurus aequalis var. sonomensis | P, E |
| | | BLUEGRASS, NAPA | Poa napensis | P, E |
| | | CHECKER-MALLOW, KENWOOD MARSH | Sidalcea oregana ssp. valida | P, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | CLARKIA, VINE HILL | Clarkia imbricata | P, E |
| | | CLOVER, SHOWY INDIAN | Trifolum amoenum | P, E |
| | | GOLDFIELDS, CONTRA COSTA | Lasthenia conjugens | L, E |
| | | LILY, PITKIN MARSH | Lilium pitkinense | P, E |
| | | MILK-VETCH, CLARA HUNT'S | Astragalus clarianus | P, E |
| | | NAVARRETIA, FEW-FLOWERED | Navarretia leucocephala ssp. pauciflora | L, E |
| | | NAVARRETIA, MANY-FLOWERED | Navarretia leucocephala ssp. plieantha | L, E |
| | | PAINTBRUSH, TIBURON | Castilleja affinis ssp. neglecta | L, E |
| | | PAINTBRUSH, TIBURON | Castilleja affinis ssp. neglecta | L, E |
| | | SEDGE, WHITE | Carex albida | P, E |
| | | STONECROP, LAKE COUNTY | Parvisedum leiocarpum | L, E |
| DNEVADA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | TROUT, LAHONTAN CUTTHROAT | Salmo clarki henshawi | L, T |
| | PLANTS | BARBERRY, TRUCKEE | Berberis (=Mahonia) sonnei | L, E |
| DORANGE | AMPHIBIANS | TOAD, ARROYO SOUTHWESTERN | Bufo microscaphus californicus | L, E |
| | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GNATCATCHER, COASTAL CALIFORNIA | Polioptila californica californica | L, T |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | | RAIL, LIGHT-FOOTED CLAPPER | Rallus longirostris levipes | L, E |
| | | TERN, CALIFORNIA LEAST | Sterna antillarum browni | L, E |
| | | VIREO, LEAST BELL'S | Vireo bellii pusillus | L, E, CH |
| | CRUSTACEAN | SHRIMP, RIVERSIDE FAIRY | Streptocephalus woottoni | L, E |
| | FISHES | GOBY, TIDEWATER | Eucyclogobius newberryi | L, E |
| | MAMMALS | MOUSE, PACIFIC POCKET | Perognathus longimembris pacificus | L, E |
| | PLANTS | ASTER, DEL MAR SAND | Corethrogyne filaginifolia var. linifolia | P, E |
| | | BACCHARIS, ENCINITAS | Baccharis vanessae | L, T |
| | | BIRD'S-BEAK, SALT MARSH | Cordylanthus maritimus ssp. maritimus | L, E |
| | | BRODIAEA, THREAD-LEAVED | Brodiaea filifolia | P, T |
| | | CROWN-BEARD, BIG-LEAVED | Verbesina dissita | L, T |
| | | CROWNSCALE, SAN JACINTO VALLEY | Atriplex coronata var. notatior | P, E |
| | | DUDLEYA, MARCESCENT | Dudleya cymosa ssp. marcescens | L, T |
| | | DUDLEYA, SANTA MONICA MOUNTAINS | Dudleya cymosa ssp. ovatifolia | L, T |
| | | LIVEFOREVER, LAGUNA BEACH | Dudleya stolonifera | P, E |
| | | MANZANITA, DEL MAR | Arctostaphylos glandulosa ssp. crassifolia | L, E |
| | | MILK-VETCH, BRAUNTON'S | Astragalus brauntonii | L, E |
| | | MONARDELLA, WILLOWY | Monardella linoides ssp. viminea | P, E |
| | | NAVARRETIA, SPREADING | Navarretia fossalis | P, T |
| | | ONION, MUNZ'S | Allium munzii | P, E |
| | | SPINEFLOWER, ORCUTT'S | Chorizanthe orcuttiana | L, E |
| | | TARWEED, OTAY | Hemizonia conjugens | P, E |
| | | THORNMINT, SAN DIEGO | Acanthomintha ilicifolia | P, E |
| | | WOOLLY-STAR, SANTA ANA RIVER | Eriastrum densifolium ssp. santorum | L, E |
| PIMA | BIRDS | FLYCATCHER, SOUTHWESTERN WILLOW | Empiodonax traillii extimus | L, E |
| PLACER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | CRUSTACEAN | LINDERIELLA, CALIFORNIA | Linderiella occidentalis | P, E |
| | | SHRIMP, VERNAL POOL FAIRY | Branchinecta lynchi | L, T |
| | | SHRIMP, VERNAL POOL TADPOLE | Lepidurus packardi | L, E |
| | FISHES | TROUT, LAHONTAN CUTTHROAT | Salmo clarki henshawi | L, T |
| | INSECTS | BEETLE, VALLEY ELDERBERRY LONGHORN. | Desmocerus californicus dimorphus | L, T, CH |
| | PLANTS | BARBERRY, TRUCKEE | Berberis (=Mohonia) sonnei | L, E |
| PLUMAS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | GRASS, SLENDER ORCUTT | Orcuttia tenuis | L, T |
| RIVERSIDE | AMPHIBIANS | SALAMANDER, DESERT SLENDER | Batrachoseps aridus | L, E |
| | | TOAD, ARROYO SOUTHWESTERN | Bufo microscaphus californicus | L, E |
| | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | FLYCATCHER, SOUTHWESTERN WILLOW | Empiodonax traillii extimus | L, E |
| | | FLYCATCHER, SOUTHWESTERN WILLOW | Empiodonax traillii extimus | L, E |
| | | GNATCATCHER, COASTAL CALIFORNIA | Polioptila californica californica | L, T |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | RAIL, YUMA CLAPPER | Rallus longirostris yumanensis | L, E |
| | | VIREO, LEAST BELL'S | Vireo bellii pusillus | L, E, CH |
| | CRUSTACEAN | LINDERIELLA, CALIFORNIA | Linderiella occidentalis | P, E |
| | | SHRIMP, RIVERSIDE FAIRY | Streptocephalus woottoni | L, E |
| | | SHRIMP, VERNAL POOL FAIRY | Branchinecta lynchi | L, T |
| | FISHES | CHUB, BONYTAIL | Gila elegans | L, E, CH |
| | | PUPFISH, DESERT | Cyprinodon macularius | L, E, CH |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | SQUAWFISH, COLORADO | Ptychocheilus lucius | L, E, CH |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | INSECTS | BUTTERFLY, QUINO CHECKERSPOT | Euphydryas editha quino | L, E |
| | | FLY, DELHI SANDS FLOWER-LOVING | Rhophiamidas terminatus abdominalis | L, E |
| | MAMMALS | KANGAROO RAT, STEPHENS' | Dipodomys stephensi | L, T |
| | | RAT, STEPHENS' KANGAROO | Dipodomys stephensi | L, T |
| | PLANTS | BARBERRY, NEVIN'S | Berberis nevinii | P, T |
| | | BARBERRY, NEVIN'S | Berberis nevinii | P, T |
| | | BEARGRASS, DEHESA | Nolina interrata | P, T |
| | | BEARGRASS, DEHESA | Nolina interrata | P, T |
| | | BRODIAEA, THREAD-LEAVED | Brodiaea filifolia | P, T |
| | | BUTTON-CELERY, SAN DIEGO | Eryngium aristulatum var. parishii | L, E |
| | | CEANOTHUS, VAIL LAKE | Ceanothus ophi0chilus | P, T |
| | | CEANOTHUS, VAIL LAKE | Ceanothus ophi0chilus | P, T |
| | | CROWNSCALE, SAN JACINTO VALLEY | Atriplex coronata var. notatior | P, E |
| | | DAISY, PARISH'S | Erigeron parishii | L, T |
| | | DOWNINGIA, CUYAMACA LAKE | Downingia concolor var. brevior | P, E |
| | | FLANNELBUSH, MEXICAN | Fremontodendron mexicanum | P, T |
| | | GRASS, CALIFORNIA ORCUTT | Orcuttia californica | L, E |
| | | MILK-VETCH, COACHELLA VALLEY | Astragalus lentiginosus var. coachellae | P, E |
| | | MILK-VETCH, TRIPLE-RIBBED | Astragalus tricarinatus | P, E |
| | | MINT, OTAY MESA | Pogogyne nudiuscula | L, E |
| | | NAVARRETIA, SPREADING | Navarretia fossalis | P, T |
| | | ONION, MUNZ'S | Allium munzii | P, E |
| | | SPINEFLOWER, SLENDER-HORNED | Centrostegia leptoceras | L, E |
| | | WOOLLY-STAR, SANTA ANA RIVER | Eriastrum densifolium ssp. santorum | L, E |
| | REPTILES | LIZARD, COACHELLA VALLEY FRINGE-TOED. | Uma inornata | L, T, CH |
| | | LIZARD, FLAT-TAILED HORNED | Phrynosoma mcallii | P, T |
| | | TORTOISE, DESERT | Gopherus (=Xerobates,=Scaptochelys) agassizii. | L, T, CH |
| SACRAMENTO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | CRUSTACEAN | LINDERIELLA, CALIFORNIA | Linderiella occidentalis | P, E |
| | | SHRIMP, VERNAL POOL FAIRY | Branchinecta lynchi | L, T |
| | | SHRIMP, VERNAL POOL TADPOLE | Lepidurus packardi | L, E |
| | FISHES | SALMON, CHINOOK (SACRAMENTO RIVER WINTER RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | SMELT, DELTA | Hypomesus transpacificus | L, T, CH |
| | | STEELHEAD, CALIFORNIA CENTRAL VALLEY POP. | Oncorhynchus mykiss, (Central Valley ESU) | P, E |
| | INSECTS | BEETLE, VALLEY ELDERBERRY LONGHORN. | Desmocerus californicus dimorphus | L, T, CH |
| | PLANTS | EVENING-PRIMROSE, ANTIOCH DUNES | Oenothera deltoides ssp. howellii | L, E, CH |
| | | GRASS, SACRAMENTO ORCUTT | Orcuttia viscida | L, E |
| | | GRASS, SLENDER ORCUTT | Orcuttia tenuis | L, T |
| | REPTILES | SNAKE, GIANT GARTER | Thamnophis gigas | L, T |
| SAN BENITO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | INSECTS | FLY, DELHI SANDS FLOWER-LOVING | Rhophiamidas terminatus abdominalis | L, E |
| | MAMMALS | FOX, SAN JOAQUIN KIT | Vulpes macrotis mutica | L, E |
| | | KANGAROO RAT, GIANT | Dipodomys ingens | L, E |
| | | RAT, GIANT KANGAROO | Dipodomys ingens | L, E |
| | PLANTS | DUDLEYA, SANTA CLARA VALLEY | Dudleya setchellii | L, E |
| | | EVENING-PRIMROSE, SAN BENITO | Camissonia benitensis | L, T |
| | | WOOLLY-THREADS, SAN JOAQUIN | Lembertia congdonii | L, E |
| | REPTILES | LIZARD, BLUNT-NOSED LEOPARD | Gambelia (Crotaphytus) silus | L, E |
| SAN BERNADINO | BIRDS | FLYCATCHER, SOUTHWESTERN WILLOW | Empiodonax traillii extimus | L, E |
| | PLANTS | ONION, MUNZ'S | Allium munzii | P, E |
| | | SANDWORT, MARSH | Arenaria paludicola | L, E |
| | AMPHIBIANS | TOAD, ARROYO SOUTHWESTERN | Bufo microscaphus californicus | L, E |
| | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | FLYCATCHER, SOUTHWESTERN WILLOW | Empiodonax traillii extimus | L, E |
| | | GNATCATCHER, COASTAL CALIFORNIA | Polioptila californica californica | L, T |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | | RAIL, YUMA CLAPPER | Rallus longirostris yumanensis | L, E |
| | | VIREO, LEAST BELL'S | Vireo bellii pusillus | L, E, CH |
| | FISHES | CHUB, BONYTAIL | Gila elegans | L, E, CH |
| | | CHUB, MOHAVE TUI | Gila bicolor mohavensis | L, E |
| | | PUPFISH, DESERT | Cyprinodon macularius | L, E, CH |
| | | SQUAWFISH, COLORADO | Ptychocheilus lucius | L, E, CH |
| | | STICKLEBACK, UNARMORED THREESPINE. | Gasterosteus aculeatus williamsoni | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | INSECTS | FLY, DELHI SANDS FLOWER-LOVING | Rhophiamidas terminatus abdominalis | L, E |
| | MAMMALS | KANGAROO RAT, STEPHENS' | Dipodomys stephensi | L, T |
| | | RAT, STEPHENS' KANGAROO | Dipodomys stephensi | L, T |
| | | VOLE, AMARGOSA | Microtus californicus scirpensis | L, E, CH |
| | PLANTS | BARBERRY, NEVIN'S | Berberis nevinii | P, T |
| | | BARBERRY, NEVIN'S | Berberis nevinii | P, T |
| | | BEARGRASS, DEHESA | Nolina interrata | P, T |
| | | BLADDERPOD, SAN BERNARDINO MOUNTAINS. | Lesquerella kingii ssp. bernardina | L, E |
| | | BLUECURLS, HIDDEN LAKE | Trichostema austromontanum ssp. compactum. | P, T |
| | | BLUEGRASS, SAN BERNARDINO | Poa atropurpurea | P, E |
| | | BRODIAEA, THREAD-LEAVED | Brodiaea filifolia | P, T |
| | | BUCKWHEAT, CUSHENBURY | Eriogonum ovalifolium var. vineum | L, E |
| | | BUCKWHEAT, SOUTHERN MOUNTAIN WILD. | Eriogonum kennedyi var. austromontanum | P, T |
| | | CEANOTHUS, VAIL LAKE | Ceanothus ophiochilus | P, T |
| | | CEANOTHUS, VAIL LAKE | ceanothus ophiochilus | P, T |
| | | CHECKER-MALLOW, PEDATE | Sidalcea pedata | L, E |
| | | CROWNSCALE, SAN JACINTO VALLEY | Atriplex coronata var. notatior | P, E |
| | | DAISY, PARISH'S | Erigeron parishii | L, T |
| | | DANDELION, CALIFORNIA | Taraxacum californicum | P, E |
| | | FLANNELBUSH, MEXICAN | Fremontodendron mexicanum | P, T |
| | | GRASS, PARISH'S ALKALI | Puccinellia parishii | P, E |
| | | MILK-VETCH, CUSHENBURY | Astragalus albens | L, E |
| | | MILK-VETCH, LANE MOUNTAIN | Astragalus jaegerianus | P, E |
| | | MILK-VETCH, TRIPLE-RIBBED | Astragalus tricarinatus | P, E |
| | | MUSTARD, SLENDER-PETALED | Thelypodium stenopetalum | L, E |
| | | NAVARRETIA, SPREADING | Navarretia fossalis | P, T |
| | | OXYTHECA, CUSHENBURY | Oxytheca parishii var. goodmaniana | L, E |
| | | PAINTBRUSH, ASH-GREY INDIAN | Castilleja cinerea | P, T |
| | | ROCK-CRESS, JOHNSTON'S | Arabis johnstonii | P, T |
| | | SANDWORT, BEAR VALLEY | Arenaria ursina | P, T |
| | | SPINEFLOWER, SLENDER-HORNED | Centrostegia leptoceras | L, E |
| | | WATERCRESS, GAMBEL'S | Rorippa gambellii | L, E |
| | | WOOLLY-STAR, SANTA ANA RIVER | Eriastrum densifolium ssp. santorum | L, E |
| | REPTILES | TORTOISE, DESERT | Gopherus (=Xerobates,=Scaptochelys) agassizii. | L, T, CH |
| SAN DIEGO | AMPHIBIANS | TOAD, ARROYO SOUTHWESTERN | Bufo microscaphus californicus | L, E |
| | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | FLYCATCHER, SOUTHWESTERN WILLOW | Empiodonax traillii extimus | L, E |
| | | GNATCATCHER, COASTAL CALIFORNIA | Polioptila californica californica | L, T |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | | RAIL, LIGHT-FOOTED CLAPPER | Rallus longirostris levipes | L, E |
| | | TERN, CALIFORNIA LEAST | Sterna antillarum browni | L, E |
| | | VIREO, LEAST BELL'S | Vireo bellii pusillus | L, E, CH |
| | CRUSTACEAN | SHRIMP, RIVERSIDE FAIRY | Streptocephalus woottoni | L, E |
| | | SHRIMP, SAN DIEGO FAIRY | Branchinecta sandiegoensis | P, E |
| | FISHES | CHUB, MOHAVE TUI | Gila bicolor mohavensis | L, E |
| | | GOBY, TIDEWATER | Eucyclogobius newberryi | L, E |
| | | PUPFISH, DESERT | Cyprinodon macularius | L, E, CH |
| | | STICKLEBACK, UNARMORED THREESPINE. | Gasterosteus aculeatus williamsoni | L, E |
| | INSECTS | SKIPPER, LAGUNA MOUNTAIN | Pyrgus ruralis lagunae | L, E |
| | MAMMALS | KANGAROO RAT, STEPHENS' | Dipodomys stephensi | L, T |
| | | MOUSE, PACIFIC POCKET | Perognathus longimembris pacificus | L, E |
| | | RAT, STEPHENS' KANGAROO | Dipodomys stephensi | L, T |
| | PLANTS | ASTER, DEL MAR SAND | Corethrogyne filaginifolia var. linifolia | P, E |
| | | BACCHARIS, ENCINITAS | Baccharis vanessae | L, T |
| | | BARBERRY, NEVIN'S | Berberis nevinii | P, T |
| | | BARBERRY, NEVIN'S | Berberis nevinii | P, T |
| | | BEARGRASS, DEHESA | Nolina interrata | P, T |
| | | BEARGRASS, DEHESA | Nolina interrata | P, T |
| | | BIRD'S-BEAK, SALT MARSH | Cordylanthus maritimus ssp. maritimus | L, E |
| | | BRODIAEA, THREAD-LEAVED | Brodiaea filifolia | P, T |
| | | BUTTON-CELERY, SAN DIEGO | Eryngium aristulatum var. parishii | L, E |
| | | CEANOTHUS, VAIL LAKE | Ceanothus ophiochilus | P, T |
| | | CEANOTHUS, VAIL LAKE | Ceanothus ophi0chilus | P, T |
| | | CROWN-BEARD, BIG-LEAVED | Verbesina dissita | L, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | CROWNSCALE, SAN JACINTO VALLEY | Atriplex coronata var. notatior | P, E |
| | | DOWNINGIA, CUYAMACA LAKE | Downingia concolor var. brevior | P, E |
| | | FLANNELBUSH, MEXICAN | Fremontodendron mexicanum | P, T |
| | | GRASS, CALIFORNIA ORCUTT | Orcuttia californica | L, E |
| | | LIVEFOREVER, LAGUNA BEACH | Dudleya stolonifera | P, E |
| | | MANZANITA, DEL MAR | Arctostaphylos glandulosa ssp. crassifolia | L, E |
| | | MEADOWFOAM, PARISH'S | Limnanthes gracilis ssp. parishii | P, T |
| | | MILK-VETCH, PIERSON'S | Astragalus magdalenae var. piersonii | P, E |
| | | MINT, OTAY MESA | Pogogyne nudiuscula | L, E |
| | | MINT, SAN DIEGO MESA | Pogogyne abramsii | L, E |
| | | MONARDELLA, WILLOWY | Monardella linoides ssp. viminea | P, E |
| | | NAVARRETIA, SPREADING | Navarretia fossalis | P, T |
| | | ONION, MUNZ'S | Allium munzii | P, E |
| | | SPINEFLOWER, ORCUTT'S | Chorizanthe orcuttiana | L, E |
| | | SPINEFLOWER, SLENDER-HORNED | Centrostegia leptoceras | L, E |
| | | TARWEED, OTAY | Hemizonia conjugens | P, E |
| | | THORNMINT, SAN DIEGO | Acanthomintha ilicifolia | P, E |
| | | WATERCRESS, GAMBEL'S | Rorippa gambellii | L, E |
| | REPTILES | LIZARD, FLAT-TAILED HORNED | Phrynosoma mcallii | P, T |
| | | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, OLIVE (PACIFIC) RIDLEY SEA | Lepidochelys olivacea | L, E, T |
| SAN FRANCISCO | PLANTS | SANDWORT, MARSH | Arenaria paludicola | L, E |
| | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | FISHES | GOBY, TIDEWATER | Eucyclogobius newberryi | L, E |
| | | STEELHEAD, CENTRAL CALIFORNIA POPULATION. | Oncorhynchus mykiss, (Central California Coast ESU). | L, T |
| | | STEELHEAD, CENTRAL CALIFORNIA POPULATION. | Oncorhynchus mykiss, (Central California Coast ESU). | L, T |
| | INSECTS | BUTTERFLY, BAY CHECKERSPOT | Euphydryas editha bayensis | L, T |
| | | BUTTERFLY, CALLIPPE SILVERSPOT | Speyeria callippe callippe | P, E |
| | | BUTTERFLY, MISSION BLUE | Icaricia icarioides missionensis | L, E |
| | | BUTTERFLY, MYRTLE'S SILVERSPOT | Speyeria zerene myrtleae | L, E |
| | PLANTS | CLARKIA, PRESIDIO | Clarkia franciscana | L, E |
| | | DWARF-FLAX, MARIN | Hesperolinon congestum | L, T |
| | | JEWELFLOWER, METCALF CANYON | Streptanthus albidus ssp. albidus | P, E |
| | | LAYIA, BEACH | Layia carnosa | L, E |
| | | LESSINGIA, SAN FRANCISCO | Lessingia germanorum | L, E |
| | | LILY, TIBURON MARIPOSA | Calochortus tiburonensis | L, T |
| | | MANZANITA, PRESIDIO (=RAVEN'S) | Arctostaphylos pungens ssp. ravenii | L, E |
| | | MANZANITA, SAN BRUNO MOUNTAIN | Arctostaphylos imbricata | P, E |
| DSAN JOAQUIN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | CRUSTACEAN | LINDERIELLA, CALIFORNIA | Linderiella occidentalis | P, E |
| | | SHRIMP, VERNAL POOL FAIRY | Branchinecta lynchi | L, T |
| | | SHRIMP, VERNAL POOL TADPOLE | Lepidurus packardi | L, E |
| | FISHES | SALMON, CHINOOK (SACRAMENTO RIVER WINTER RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | SMELT, DELTA | Hypomesus transpacificus | L, T, CH |
| | | STEELHEAD, CALIFORNIA CENTRAL VALLEY POP. | Oncorhynchus mykiss, (Central Valley ESU) | P, E |
| | INSECTS | BEETLE, VALLEY ELDERBERRY LONGHORN. | Desmocerus californicus dimorphus | L, T, CH |
| | MAMMALS | FOX, SAN JOAQUIN KIT | Vulpes macrotis mutica | L, E |
| | PLANTS | BIRD'S-BEAK, PALMATE-BRACTED | Cordylanthes palmatus | L, E |
| | | FIDDLENECK, LARGE-FLOWERED | Amsinckia grandiflora | L, E, CH |
| | REPTILES | SNAKE, GIANT GARTER | Thamnophis gigas | L, T |
| DSAN LUIS OBISPO | PLANTS | SANDWORT, MARSH | Arenaria paludicola | L, E |
| | BIRDS | CONDOR, CALIFORNIA | Gymnogyps californianus | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | | RAIL, CALIFORNIA CLAPPER | Rallus longirostris obsoletus | L, E |
| | | TERN, CALIFORNIA LEAST | Sterna antillarum browni | L, E |
| | | VIREO, LEAST BELL'S | Vireo bellii pusillus | L, E, CH |
| | CRUSTACEAN | LINDERIELLA, CALIFORNIA | Linderiella occidentalis | P, E |
| | | SHRIMP, LONGHORN FAIRY | Branchinecta longiantenna | L, E |
| | FISHES | GOBY, TIDEWATER | Eucyclogobius newberryi | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | STEELHEAD, SOUTH-CENTRAL CALIFORNIA POP. | Oncorhynchus mykiss, (South-Central Calif. ESU). | L, T |
| | | STEELHEAD, SOUTH-CENTRAL CALIFORNIA POP. | Oncorhynchus mykiss, (South-Central Calif. ESU). | L, T |
| | | STEELHEAD, SOUTHERN CALIFORNIA POPULATION. | Oncorhynchus mykiss, (Southern California ESU). | L, E |
| | | STEELHEAD, SOUTHERN CALIFORNIA POPULATION. | Oncorhynchus mykiss, (Southern California ESU). | L, E |
| | MAMMALS | FOX, SAN JOAQUIN KIT | Vulpes macrotis mutica | L, E |
| | | OTTER, SOUTHERN SEA | Enhydra lutris nereis | L, T |
| | | RAT, GIANT KANGAROO | Dipodomys ingens | L, E |
| | | RAT, MORRO BAY KANGAROO | Dipodomys heermanni morroensis | L, E, CH |
| | PLANTS | BIRD'S-BEAK, SALT MARSH | Cordylanthus maritimus ssp. maritimus | L, E |
| | | CLARKIA, PISMO | Clarkia speciosa ssp. immaculata | L, E |
| | | JEWELFLOWER, CALIFORNIA | Caulanthus californicus | L, E |
| | | MANZANITA, MORRO | Arctostaphylos morroensis | L, T |
| | | MOUNTAINBALM, INDIAN KNOB | Eriodictyon altissimum | L, E |
| | | SANDWORT, MARSH | Arenaria paludicola | L, E |
| | | SEA-BLITE, CALIFORNIA | Suaeda californica | L, E |
| | | THISTLE, CHORRO CREEK BOG | Cirsium fontinale var. obispoense | L, E |
| | | WATERCRESS, GAMBEL'S | Rorippa gambellii | L, E |
| | | WOOLLY-STAR, HOOVER'S | Eriastrum hooveri | L, T |
| | | WOOLLY-THREADS, SAN JOAQUIN | Lembertia congdonii | L, E |
| | REPTILES | LIZARD, BLUNT-NOSED LEOPARD | Gambelia (Crotaphytus) silus | L, E |
| | SNAILS | SNAIL, MORRO SHOULDERBAND | Helminthoglypta walkeriana | L, E |
| SAN MATEO | AMPHIBIANS | FROG, CALIFORNIA RED-LEGGED | Rana Aurora Draytonii | L, T |
| | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | | RAIL, CALIFORNIA CLAPPER | Rallus longirostris obsoletus | L, E |
| | | TERN, CALIFORNIA LEAST | Sterna antillarum browni | L, E |
| | CRUSTACEAN | LINDERIELLA, CALIFORNIA | Linderiella occidentalis | P, E |
| | FISHES | GOBY, TIDEWATER | Eucyclogobius newberryi | L, E |
| | | SALMON, COHO (CENTRAL CALIFORNIA COAST POP). | Oncorhynchus kisutch | L, E |
| | | STEELHEAD, CENTRAL CALIFORNIA POPULATION. | Oncorhynchus mykiss, (Central California Coast ESU). | L, T |
| | | STEELHEAD, CENTRAL CALIFORNIA POPULATION. | Oncorhynchus mykiss, (Central California Coast ESU). | L, T |
| | INSECTS | BUTTERFLY, BAY CHECKERSPOT | Euphydryas editha bayensis | L, T |
| | | BUTTERFLY, MISSION BLUE | Icaricia icarioides missionensis | L, E |
| | | BUTTERFLY, SAN BRUNO ELFIN | Callophrys mossii bayensis | L, E |
| | MAMMALS | MOUSE, SALT MARSH HARVEST | Reithrodontomys raviventris | L, E |
| | PLANTS | CYPRESS, SANTA CRUZ | Cupressus abramsiana | L, E |
| | | LESSINGIA, SAN FRANCISCO | Lessingia germanorum | L, E |
| | | MANZANITA, SAN BRUNO MOUNTAIN | Arctostaphylos imbricata | P, E |
| | | PENTACHAETA, WHITE-RAYED | Pentachaeta bellidiflora | L, E |
| | | SUNFLOWER, SAN MATEO WOOLLY | Eriophyllum latilobum | L, E |
| | | THISTLE, FOUNTAIN | Cirsium fontinale var. fontinale | L, E |
| | | THISTLE, FOUNTAIN | Cirsium fontinale var. fontinale | L, E |
| | | THORNMINT, SAN MATEO | Acanthomintha obovata ssp. duttonii | L, E |
| | REPTILES | SNAKE, SAN FRANCISCO GARTER | Thamnophis sirtalis tetrataenia | L, E |
| SANTA BARBARA | | BARBERRY, ISLAND | Berberis pinnata ssp. insularis | L, E |
| | | BARBERRY, ISLAND | Berberis pinnata ssp. insularis | L, E |
| | | BEDSTRAW, ISLAND | Galium buxifolium | L, E |
| | | BEDSTRAW, ISLAND | Galium buxifolium | L, E |
| | | BUSHMALLOW, SANTA CRUZ ISLAND | Malacothamnus fasciculatus nesioticus | L, E |
| | | BUSHMALLOW, SANTA CRUZ ISLAND | Malacothamnus fasciculatus nesioticus | L, E |
| | BIRDS | FRINGEPOD, SANTA CRUZ ISLAND | Thysanocarpus conchuliferus | L, E |
| | | FRINGEPOD, SANTA CRUZ ISLAND | Thysanocarpus conchuliferus | L, E |
| | | GILIA, HOFFMAN'S SLENDER-FLOWERED | Gilia tenuiflora ssp. hoffmannii | L, E |
| | | GILIA, HOFFMAN'S SLENDER-FLOWERED | Gilia tenuiflora ssp. hoffmannii | L, E |
| | | MALACOTHRIX, ISLAND | Malacothrix squalida | L, E |
| | | MALACOTHRIX, ISLAND | Malacothrix squalida | L, E |
| | | MALACOTHRIX, SANTA CRUZ ISLAND | Malacothrix indecora | L, E |
| | | MALACOTHRIX, SANTA CRUZ ISLAND | Malacothrix indecora | L, E |
| | | MANZANITA, SANTA ROSA ISLAND | Arctostaphylos confertiflora | L, E |
| | | MANZANITA, SANTA ROSA ISLAND | Arctostaphylos confertiflora | L, E |
| | | PAINTBRUSH, SOFT-LEAVED | Castilleja mollis | L, E |
| | | PAINTBRUSH, SOFT-LEAVED | Castilleja mollis | L, E |
| | | PHACELIA, ISLAND | Phacelia insularis ssp. insularis | L, E |
| | | PHACELIA, ISLAND | Phacelia insularis ssp. insularis | L, E |

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| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | ROCK-CRESS, HOFFMAN'S | Arabis hoffmannii | L, E |
| | | ROCK-CRESS, HOFFMAN'S | Arabis hoffmannii | L, E |
| | AMPHIBIANS | TOAD, ARROYO SOUTHWESTERN | Bufo microscaphus californicus | L, E |
| | BIRDS | CONDOR, CALIFORNIA | Gymnogyps californianus | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | | RAIL, LIGHT-FOOTED CLAPPER | Rallus longirostris levipes | L, E |
| | | TERN, CALIFORNIA LEAST | Sterna antillarum browni | L, E |
| | | VIREO, LEAST BELL'S | Vireo bellii pusillus | L, E, CH |
| | CRUSTACEAN | LINDERIELLA, CALIFORNIA | Linderiella occidentalis | P, E |
| | FISHES | GOBY, TIDEWATER | Eucyclogobius newberryi | L, E |
| | | STEELHEAD, SOUTH-CENTRAL CALIFORNIA POP. | Oncorhynchus mykiss, (South-Central Calif. ESU). | L, T |
| | | STEELHEAD, SOUTH-CENTRAL CALIFORNIA POP. | Oncorhynchus mykiss, (South-Central Calif. ESU). | L, T |
| | | STEELHEAD, SOUTHERN CALIFORNIA POPULATION. | Oncorhynchus mykiss, (Southern California ESU). | L, E |
| | | STEELHEAD, SOUTHERN CALIFORNIA POPULATION. | Oncorhynchus mykiss, (Southern California ESU). | L, E |
| | | STICKLEBACK, UNARMORED THREESPINE. | Gasterosteus aculeatus williamsoni | L, E |
| | MAMMALS | FOX, SAN JOAQUIN KIT | Vulpes macrotis mutica | L, E |
| | | KANGAROO RAT, GIANT | Dipodomys ingens | L, E |
| | | RAT, GIANT KANGAROO | Dipodomys ingens | L, E |
| | | SEAL, GUADALUPE FUR | Arctocephalus townsendi | L, T |
| | PLANTS | BIRD'S-BEAK, SALT MARSH | Cordylanthus maritimus ssp. maritimus | L, E |
| | | BRODIAEA, CHINESE CAMP | Brodiaea pallida | P, E |
| | | CLARKIA, SPRINGVILLE | Clarkia springvillensis | P, T |
| | | DUDLEYA, MARCESCENT | Dudleya cymosa ssp. marcescens | L, T |
| | BIRDS | DUDLEYA, SANTA CRUZ ISLAND | Dudleya nesiotica | L, T |
| | | DUDLEYA, SANTA CRUZ ISLAND | Dudleya nesiotica | L, T |
| | PLANTS | GOLDFIELDS, CONTRA COSTA | Lasthenia conjugens | L, E |
| | | JEWELFLOWER, CALIFORNIA | Caulanthus californicus | L, E |
| | | LAYIA, BEACH | Layia carnosa | L, E |
| | | LIVEFOREVER, SANTA BARBARA ISLAND | Dudleya traskiae | L, E |
| | | LUPINE, MARIPOSA | Lupinus citrinus var. deflexus | P, E |
| | | MONKEY-FLOWER, KELSO CREEK | Mimulus shevockii | P, E |
| | | NAVARRETIA, FEW-FLOWERED | Navarretia leucocephala ssp. pauciflora | L, E |
| | | NAVARRETIA, MANY-FLOWERED | Navarretia leucocephala ssp. plieantha | L, E |
| | | NAVARRETIA, PIUTE MOUNTAINS | Navarretia setiloba | P, T |
| | | ONION, RAWHIDE HILL | Allium tuolumnense | P, T |
| | | PUSSYPAWS, MARIPOSA | Calyptridium pulchellum | P, E |
| | | STONECROP, LAKE COUNTY | Parvisedum leiocarpum | L, E |
| | | THISTLE, FOUNTAIN | Cirsium fontinale var. fontinale | L, E |
| | | VERVAIN, RED HILLS | Verbena californica | P, T |
| | | WOOLLY-STAR, HOOVER'S | Eriastrum hooveri | L, T |
| | | WOOLLY-THREADS, SAN JOAQUIN | Lembertia congdonii | L, E |
| | REPTILES | LIZARD, BLUNT-NOSED LEOPARD | Gambelia (Crotaphytus) silus | L, E |
| | | LIZARD, ISLAND NIGHT | Xantusia (Klaubernina) riversiana | L, T |
| SANTA CLARA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | | RAIL, CALIFORNIA CLAPPER | Rallus longirostris obsoletus | L, E |
| | | TERN, CALIFORNIA LEAST | Sterna antillarum browni | L, E |
| | FISHES | GOBY, TIDEWATER | Eucyclogobius newberryi | L, E |
| | INSECTS | BUTTERFLY, BAY CHECKERSPOT | Euphydryas editha bayensis | L, T |
| | MAMMALS | FOX, SAN JOAQUIN KIT | Vulpes macrotis mutica | L, E |
| | | MOUSE, SALT MARSH HARVEST | Reithrodontomys raviventris | L, E |
| | PLANTS | CEANOTHUS, COYOTE | Ceanothus ferrisae | L, E |
| | | DUDLEYA, SANTA CLARA VALLEY | Dudleya setchellii | L, E |
| | | GOLDFIELDS, CONTRA COSTA | Lasthenia conjugens | L, E |
| | | NAVARRETIA, FEW-FLOWERED | Navarretia leucocephala ssp. pauciflora | L, E |
| | | NAVARRETIA, MANY-FLOWERED | Navarretia leucocephala ssp. plieantha | L, E |
| | | PAINTBRUSH, TIBURON | Castilleja affinis ssp. neglecta | L, E |
| | | PAINTBRUSH, TIBURON | Castilleja affinis ssp. neglecta | L, E |
| | | STONECROP, LAKE COUNTY | Parvisedum leiocarpum | L, E |
| | | THISTLE, FOUNTAIN | Cirsium fontinale var. fontinale | L, E |
| SANTA CRUZ | PLANTS | SANDWORT, MARSH | Arenaria paludicola | L, E |
| | AMPHIBIANS | SALAMANDER, SANTA CRUZ LONG-TOED | Ambystoma macrodactylum croceum | L, E |

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| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | BIRDS | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | FISHES | GOBY, TIDEWATER | Eucyclogobius newberryi | L, E |
| | | SALMON, COHO (CENTRAL CALIFORNIA COAST POP). | Oncorhynchus kisutch | L, E |
| | | STEELHEAD, CENTRAL CALIFORNIA POPULATION. | Oncorhynchus mykiss, (Central California Coast ESU). | L, T |
| | | STEELHEAD, CENTRAL CALIFORNIA POPULATION. | Oncorhynchus mykiss, (Central California Coast ESU). | L, T |
| | | STEELHEAD, SOUTH-CENTRAL CALIFORNIA POP. | Oncorhynchus mykiss, (South-Central Calif. ESU). | L, T |
| | | STEELHEAD, SOUTH-CENTRAL CALIFORNIA POP. | Oncorhynchus mykiss, (South-Central Calif. ESU). | L, T |
| | INSECTS | BEETLE, MOUNT HERMON JUNE | Polyphylla barbata | L, E |
| | | BEETLE, SANTA CRUZ RAIN | Pleocoma conjugens conjugens | P, E |
| | | GRASSHOPPER, ZAYANTE BAND-WINGED. | Trimerotropis infantillis | L, E |
| | MAMMALS | OTTER, SOUTHERN SEA | Enhydra lutris nereis | L, T |
| | PLANTS | CYPRESS, SANTA CRUZ | Cupressus abramsiana | L, E |
| | | PENTACHAETA, WHITE-RAYED | Pentachaeta bellidiflora | L, E |
| | | SPINEFLOWER, BEN LOMOND | Chorizanthe pungens var. hartwegiana | L, E |
| | | SPINEFLOWER, MONTEREY | Chorizanthe pungens var. pungens | L, T |
| | | SPINEFLOWER, ROBUST | Chorizanthe robusta var. robusta | L, E |
| | | SPINEFLOWER, SCOTTS VALLEY | Chorizanthe robusta var. hartwegii | L, E |
| | | WALLFLOWER, BEN LOMOND | Erysimum teretifolium | L, E |
| | REPTILES | SNAKE, SAN FRANCISCO GARTER | Thamnophis sirtalis tetrataenia | L, E |
| SHASTA | AMPHIBIANS | FROG, CALIFORNIA RED-LEGGED | Rana Aurora Draytonii | L, T |
| | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | CRUSTACEAN | CRAYFISH, SHASTA | Pacifasticus fortis | L, E |
| | | SHRIMP, VERNAL POOL TADPOLE | Lepidurus packardi | L, E |
| | FISHES | SALMON, CHINOOK (SACRAMENTO RIVER WINTER RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | STEELHEAD, CALIFORNIA CENTRAL VALLEY POP. | Oncorhynchus mykiss, (Central Valley ESU) | P, E |
| | PLANTS | GRASS, SLENDER ORCUTT | Orcuttia tenuis | L, T |
| | | TUCTORIA, GREEN'S | Tuctoria greenei | L, E |
| SIERRA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | TROUT, LAHONTAN CUTTHROAT | Salmo clarki henshawi | L, T |
| SISKIYOU | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | SUCKER, LOST RIVER | Deltistes luxatus | L, E |
| | PLANTS | GRASS, SLENDER ORCUTT | Orcuttia tenuis | L, T |
| SOLANO | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | RAIL, CALIFORNIA CLAPPER | Rallus longirostris obsoletus | L, E |
| | CRUSTACEAN | LINDERIELLA, CALIFORNIA | Linderiella occidentalis | P, E |
| | | SHRIMP, VERNAL POOL FAIRY | Branchinecta lynchi | L, T |
| | | SHRIMP, VERNAL POOL TADPOLE | Lepidurus packardi | L, E |
| | FISHES | SALMON, CHINOOK (SACRAMENTO RIVER WINTER RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | SMELT, DELTA | Hypomesus transpacificus | L, T, CH |
| | | STEELHEAD, CALIFORNIA CENTRAL VALLEY POP. | Oncorhynchus mykiss, (Central Valley ESU) | P, E |
| | INSECTS | BEETLE, DELTA GREEN GROUND | Elaphrus viridis | L, T, CH |
| | | BEETLE, VALLEY ELDERBERRY LONGHORN. | Desmocerus californicus dimorphus | L, T, CH |
| | MAMMALS | MOUSE, SALT MARSH HARVEST | Reithrodontomys raviventris | L, E |
| | PLANTS | GOLDFIELDS, CONTRA COSTA | Lasthenia conjugens | L, E |
| | | GRASS, COLUSA | Neostapfia colusana | L, T |
| | | GRASS, SOLANO | Tuctoria mucronata (=Orcuttia m) | L, E |
| | | NAVARRETIA, FEW-FLOWERED | Navarretia leucocephala ssp. pauciflora | L, E |
| | | NAVARRETIA, MANY-FLOWERED | Navarretia leucocephala ssp. plieantha | L, E |
| | | STONECROP, LAKE COUNTY | Parvisedum leiocarpum | L, E |
| SONAMA | FISHES | STEELHEAD, CENTRAL CALIFORNIA POPULATION. | Oncorhynchus mykiss, (central california coast es. | L, T |
| | | STEELHEAD, CENTRAL CALIFORNIA POPULATION. | Oncorhynchus mykiss, (central california coast es. | L, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | | RAIL, CALIFORNIA CLAPPER | Rallus longirostris obsoletus | L, E |
| | CRUSTACEAN | LINDERIELLA, CALIFORNIA | Linderiella occidentalis | P, E |
| | | SHRIMP, CALIFORNIA FRESHWATER | Syncaris pacifica | L, E |
| | FISHES | GOBY, TIDEWATER | Eucyclogobius newberryi | L, E |
| | | SALMON, CHINOOK (SACRAMENTO RIVER WINTER RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, COHO (CENTRAL CALIFORNIA COAST POP). | Oncorhyncgus kisutch | L, E |
| | | STEELHEAD, CALIFORNIA CENTRAL VALLEY POP. | Oncorhynchus mykiss, (central valley esu) | P, E |
| | INSECTS | BUTTERFLY, BEHREN'S SILVERSPOT | Speyeria zerene behrensii | P, E |
| | | BUTTERFLY, MYRTLE'S SILVERSPOT | Speyeria zerene myrtleae | L, E |
| | MAMMALS | MOUSE, SALT MARSH HARVEST | Reithrodontomys raviventris | L, E |
| | PLANTS | ALLOCARYA, CALISTOGA | Plagiobothrys strictus | P, E |
| | | ALOPECURUS, SONOMA | Alopecurus aequalis var. sonomensis | P, E |
| | | BIRD'S-BEAK, PENNELL'S | Cordylanthus tenuis ssp. capillari | L, E |
| | | BIRD'S-BEAK, PENNELL'S | Cordylanthus tenuis ssp. capillari | L, E |
| | | BLUEGRASS, NAPA | Poa napensis | P, E |
| | | CHECKER-MALLOW, KENWOOD MARSH | Sidalcea oregana ssp. valida | P, E |
| | | CHECKER-MALLOW, KENWOOD MARSH | Sidalcea oregana ssp. valida | P, E |
| | | CLARKIA, VINE HILL | Clarkia imbricata | P, E |
| | | CLOVER, SHOWY INDIAN | Trifolum amoenum | P, E |
| | | GOLDFIELDS, BURKE'S | Lasthenia burkei | L, E |
| | | LARKSPUR, YELLOW | Delphinium luteum | P, E |
| | | LARKSPUR, YELLOW | Delphinium luteum | P, E |
| | | LILY, PITKIN MARSH | Lilium pitkinense | P, E |
| | | LUPINE, CLOVER | Lupinus tidestromii | L, E |
| | | MEADOWFOAM, SEBASTOPOL | Limnanthes vinculans | L, E |
| | | MILK-VETCH, CLARA HUNT'S | Astragalus clarianus | P, E |
| | | SEDGE, WHITE | Carex albida | P, E |
| | | SPINEFLOWER, SONOMA | Chorizanthe valida | L, E |
| | | STICKYSEED, BAKER'S | Blennosperma bakeri | L, E |
| STANISLAUS | PLANTS | ADOBE SUNBURST, SAN JOAQUIN | Pseudobahia peirsonii | L, T |
| | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | CRUSTACEAN | SHRIMP, VERNAL POOL TADPOLE | Lepidurus packardi | L, E |
| | FISHES | STEELHEAD, CALIFORNIA CENTRAL VALLEY POP. | Oncorhynchus mykiss, (Central Valley ESU) | P, E |
| | INSECTS | BEETLE, VALLEY ELDERBERRY LONGHORN. | Desmocerus californicus dimorphus | L, T, CH |
| | MAMMALS | FOX, SAN JOAQUIN KIT | Vulpes macrotis mutica | L, E |
| | PLANTS | GOLDEN SUNBURST, HARTWEG'S | Pseudobahia bahiifolia | L, E |
| | | GRASS, COLUSA | Neostapfia colusana | L, T |
| | | GRASS, HAIRY ORCUTT | Orcuttia pilosa | L, E |
| | | OWL'S-CLOVER, FLESHY | Castilleja campestris ssp. succulenta | L, E |
| | | SPURGE, HOOVER'S | Chamaesyce hooveri | L, T |
| SUTTER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | CRUSTACEAN | SHRIMP, VERNAL POOL TADPOLE | Lepidurus packardi | L, E |
| | FISHES | SALMON, CHINOOK (SACRAMENTO RIVER WINTER RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | STEELHEAD, CALIFORNIA CENTRAL VALLEY POP. | Oncorhynchus mykiss, (Central Valley ESU) | P, E |
| | INSECTS | BEETLE, VALLEY ELDERBERRY LONGHORN. | Desmocerus californicus dimorphus | L, T, CH |
| | REPTILES | SNAKE, GIANT GARTER | Thamnophis gigas | L, T |
| TEHAMA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | CRUSTACEAN | SHRIMP, VERNAL POOL TADPOLE | Lepidurus packardi | L, E |
| | FISHES | SALMON, CHINOOK (SACRAMENTO RIVER WINTER RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | STEELHEAD, CALIFORNIA CENTRAL VALLEY POP. | Oncorhynchus mykiss, (Central Valley ESU) | P, E |
| | INSECTS | BEETLE, VALLEY ELDERBERRY LONGHORN. | Desmocerus californicus dimorphus | L, T, CH |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | PLANTS | GRASS, HAIRY ORCUTT | Orcuttia pilosa | L, E |
| | | GRASS, SLENDER ORCUTT | Orcuttia tenuis | L, T |
| | | MEADOWFOAM, BUTTE COUNTY | Limnanthes floccosa ssp. californica | L, E |
| | | SPURGE, HOOVER'S | Chamaesyce hooveri | L, T |
| | | TUCTORIA, GREEN'S | Tuctoria greenei | L, E |
| TRINITY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| TULARE | BIRDS | CONDOR, CALIFORNIA | Gymnogyps californianus | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | TROUT, LITTLE KERN GOLDEN | Salmo aguabonita whitei | L, T, CH |
| | MAMMALS | FOX, SAN JOAQUIN KIT | Vulpes macrotis mutica | L, E |
| | | KANGAROO RAT, GIANT | Dipodomys ingens | L, E |
| | | KANGAROO RAT, TIPTON | Dipodomys nitratoides | L, E |
| | | RAT, GIANT KANGAROO | Dipodomys ingens | L, E |
| | | RAT, TIPTON KANGAROO | Dipodomys nitratoides | L, E |
| | | CHECKER-MALLOW, KECK'S | Sidalcea keckii | P, E |
| | | CHECKER-MALLOW, KECK'S | Sidalcea keckii | P, E |
| | PLANTS | CLARKIA, SPRINGVILLE | Clarkia springvillensis | P, T |
| | | JEWELFLOWER, CALIFORNIA | Caulanthus californicus | L, E |
| | | LILY, GREENHORN ADOBE | Fritillaria striata | P, T |
| | | SPURGE, HOOVER'S | Chamaesyce hooveri | L, T |
| | | WOOLLY-THREADS, SAN JOAQUIN | Lembertia congdonii | L, E |
| | REPTILES | LIZARD, BLUNT-NOSED LEOPARD | Gambelia (Crotaphytus) silus | L, E |
| TUOLUMNE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | TROUT, LAHONTAN CUTTHROAT | Salmo clarki henshawi | L, T |
| | PLANTS | BRODIAEA, CHINESE CAMP | Brodiaea pallida | P, E |
| | | BUTTERWEED, LAYNE'S | Senecio layneae | L, T |
| | | CLARKIA, SPRINGVILLE | Clarkia springvillensis | P, T |
| | | LILY, GREENHORN ADOBE | Fritillaria striata | P, T |
| | | LUPINE, MARIPOSA | Lupinus citrinus var. deflexus | P, E |
| | | MONKEY-FLOWER, KELSO CREEK | Mimulus shevockii | P, E |
| | | NAVARRETIA, PIUTE MOUNTAINS | Navarretia setiloba | P, T |
| | | ONION, RAWHIDE HILL | Allium tuolumnense | P, T |
| | | PUSSYPAWS, MARIPOSA | Calyptridium pulchellum | P, E |
| | | VERVAIN, RED HILLS | Verbena californica | P, T |
| VENTURA | AMPHIBIANS | TOAD, ARROYO SOUTHWESTERN | Bufo microscaphus californicus | L, E |
| | BIRDS | CONDOR, CALIFORNIA | Gymnogyps californianus | L, E, CH |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | | RAIL, LIGHT-FOOTED CLAPPER | Rallus longirostris levipes | L, E |
| | | TERN, CALIFORNIA LEAST | Sterna antillarum browni | L, E |
| | | VIREO, LEAST BELL'S | Vireo bellii pusillus | L, E, CH |
| | CRUSTACEAN | LINDERIELLA, CALIFORNIA | Linderiella occidentalis | P, E |
| | | SHRIMP, CONSERVANCY FAIRY | Brancinecta conservatio | L, E |
| | FISHES | GOBY, TIDEWATER | Eucyclogobius newberryi | L, E |
| | | STEELHEAD, SOUTHERN CALIFORNIA POPULATION. | Oncorhynchus mykiss, (Southern California ESU). | L, E |
| | | STEELHEAD, SOUTHERN CALIFORNIA POPULATION. | Oncorhynchus mykiss, (Southern California ESU). | L, E |
| | MAMMALS | FOX, SAN JOAQUIN KIT | Vulpes macrotis mutica | L, E |
| | PLANTS | BIRD'S-BEAK, SALT MARSH | Cordylanthus maritimus ssp. maritimus | L, E |
| | | DUDLEYA, CONEJO | Dudleya abramsii ssp. parva | L, T |
| | | DUDLEYA, SANTA MONICA MOUNTAINS | Dudleya cymosa ssp. ovatifolia | L, T |
| | | DUDLEYA, VERITY'S | Dudleya verityi | L, T |
| | | GRASS, CALIFORNIA ORCUTT | Orcuttia californica | L, E |
| | | MILK-VETCH, BRAUNTON'S | Astragalus brauntonii | L, E |
| | | PENTACHAETA, LYON'S | Pentachaeta lyonii | P, E |
| | | WATERCRESS, GAMBEL'S | Rorippa gambellii | L, E |
| | REPTILES | LIZARD, BLUNT-NOSED LEOPARD | Gambelia (Crotaphytus) silus | L, E |
| | | LIZARD, ISLAND NIGHT | Xantusia (Klaubernina) riversiana | L, T |
| YOLO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | CRUSTACEAN | SHRIMP, VERNAL POOL TADPOLE | Lepidurus packardi | L, E |
| | FISHES | SALMON, CHINOOK (SACRAMENTO RIVER WINTER RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | SMELT, DELTA | Hypomesus transpacificus | L, T, CH |
| | | STEELHEAD, CALIFORNIA CENTRAL VALLEY POP. | Oncorhynchus mykiss, (Central Valley ESU) | P, E |
| | INSECTS | BEETLE, VALLEY ELDERBERRY LONGHORN. | Desmocerus californicus dimorphus | L, T, CH |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | PLANTS | BIRD'S-BEAK, PALMATE-BRACTED | Cordylanthes palmatus | L, E |
| | | GRASS, COLUSA | Neostapfia colusana | L, T |
| | REPTILES | SNAKE, GIANT GARTER | Thamnophis gigas | L, T |
| YUBA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | CRUSTACEAN | LINDERIELLA, CALIFORNIA | Linderiella occidentalis | P, E |
| | | SHRIMP, VERNAL POOL FAIRY | Branchinecta lynchi | L, T |
| | | SHRIMP, VERNAL POOL TADPOLE | Lepidurus packardi | L, E |
| | INSECTS | BEETLE, VALLEY ELDERBERRY LONGHORN. | Desmocerus californicus dimorphus | L, T, CH |
| **COLORADO** | | | | |
| ADAMS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| ALAMOSA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| ARCHULETA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| BACA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| BENT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| BOULDER | FISHES | TROUT, GREENBACK CUTTHROAT | Salmo clarki stomias | L, T |
| | PLANTS | LADIES'-TRESSES, UTE | Spiranthes diluvialis | L, T |
| CHAFFEE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | INSECTS | BUTTERFLY, UNCOMPAHGRE FRITILLARY. | Boloria acrocnema | L, E |
| CHEYENNE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| CLEAR CREEK | FISHES | TROUT, GREENBACK CUTTHROAT | Salmo clarki stomias | L, T |
| CONEJOS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| COSTILLA | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| CUSTER | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | TROUT, GREENBACK CUTTHROAT | Salmo clarki stomias | L, T |
| DELTA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | SQUAWFISH, COLORADO | Ptychocheilus lucius | L, CH |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | CACTUS, SPINELESS HEDGEHOG | Echinocereus triglochidiatus var. inermis | L, E |
| | | CACTUS, UINTA BASIN HOOKLESS | Sclerocactus glaucus (=Echinocactus g, S. whipplei). | L, T |
| | | WILD-BUCKWHEAT, CLAY-LOVING | Eriogonum pelinophilum | L, E, CH |
| DOLORES | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| DOUGLAS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | TROUT, GREENBACK CUTTHROAT | Salmo clarki stomias | L, T |
| | INSECTS | SKIPPER, PAWNEE MONTANE | Hesperia leonardus (=pawnee) montana | L, T |
| EAGLE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | INSECTS | BUTTERFLY, UNCOMPAHGRE FRITILLARY. | Boloria acrocnema | L, E |
| EL PASO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | TROUT, GREENBACK CUTTHROAT | Salmo clarki stomias | L, T |
| | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| FREMONT | BIRDS | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| GARFIELD | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | SQUAWFISH, COLORADO | Ptychocheilus lucius | L, CH |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | CACTUS, UINTA BASIN HOOKLESS | Sclerocactus glaucus (=Echinocactus g, S. whipplei). | L, T |
| GRAND | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | PLANTS | BEARDTONGUE, PENLAND | Penstemon penlandii | L, E |
| | | MILK-VETCH, OSTERHOUT | Astragalus osterhoutii | L, E |

## IV. COUNTY/SPECIES LIST—Continued

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| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| GUNNISON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | INSECTS | BUTTERFLY, UNCOMPAHGRE FRITILLARY. | Boloria acrocnema | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| HINSDALE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | INSECTS | BUTTERFLY, UNCOMPAHGRE FRITILLARY. | Boloria acrocnema | L, E |
| HUERFANO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | TROUT, GREENBACK CUTTHROAT | Salmo clarki stomias | L, T |
| JACKSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | PHACELIA, NORTH PARK | Phacelia formosula | L, E |
| JEFFERSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | INSECTS | SKIPPER, PAWNEE MONTANE | Hesperia leonardus (=pawnee) montana | L, T |
| | PLANTS | LADIES'-TRESSES, UTE | Spiranthes diluvialis | L, T |
| KIOWA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| LA PLATA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | CACTUS, KNOWLTON | Pediocactus knowltonii | L, E |
| LAKE | BIRDS | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | TROUT, GREENBACK CUTTHROAT | Salmo clarki stomias | L, T |
| | INSECTS | BUTTERFLY, UNCOMPAHGRE FRITILLARY. | Boloria acrocnema | L, E |
| LARIMER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | TROUT, GREENBACK CUTTHROAT | Salmo clarki stomias | L, T |
| LAS ANIMAS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| LINCOLN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| LOGAN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| MESA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | CHUB, BONYTAIL | Gila elegans | L, E, CH |
| | | CHUB, HUMPBACK | Gila cypha | L, E, CH |
| | | SQUAWFISH, COLORADO | Ptychocheilus lucius | L, CH |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | CACTUS, SPINELESS HEDGEHOG | Echinocereus triglochidiatus var. inermis | L, E |
| | | CACTUS, UINTA BASIN HOOKLESS | Sclerocactus glaucus (=Echinocactus g, S. whipplei). | L, T |
| MOFFAT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | CHUB, BONYTAIL | Gila elegans | L, E, CH |
| | | CHUB, HUMPBACK | Gila cypha | L, E, CH |
| | | SQUAWFISH, COLORADO | Ptychocheilus lucius | L, CH |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| MONTEZUMA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | SQUAWFISH, COLORADO | Ptychocheilus lucius | L, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | CACTUS, MESA VERDE | Sclerocactus mesae-verdae (=Pediocactus m). | L, T |
| | | MILK-VETCH, MANCOS | Astragalus humillimus | L, E |
| MONTROSE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | CACTUS, SPINELESS HEDGEHOG | Echinocereus triglochidiatus var. inermis | L, E |
| | | CACTUS, UINTA BASIN HOOKLESS | Sclerocactus glaucus (=Echinocactus g, S. whipplei). | L, T |
| | | WILD-BUCKWHEAT, CLAY-LOVING | Eriogonum pelinophilum | L, E, CH |
| MORGAN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | PLANTS | LADIES'-TRESSES, UTE | Spiranthes diluvialis | L, T |
| OTERO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| OURAY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | INSECTS | BUTTERFLY, UNCOMPAHGRE FRITILLARY. | Boloria acrocnema | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| PARK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | TROUT, GREENBACK CUTTHROAT | Salmo clarki stomias | L, T |
| | INSECTS | SKIPPER, PAWNEE MONTANE | Hesperia leonardus (=pawnee) montana | L, T |
| | PLANTS | MUSTARD, PENLAND ALPINE FEN | Eutrema penlandii | L, T |
| PITKIN | INSECTS | BUTTERFLY, UNCOMPAHGRE FRITILLARY. | Boloria acrocnema | L, E |
| PROWERS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| PUEBLO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| RIO BLANCO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | SQUAWFISH, COLORADO | Ptychocheilus lucius | L, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | BLADDERPOD, DUDLEY BLUFFS | Lesquerella congesta | L, T |
| | | TWINPOD, DUDLEY BLUFFS | Physaria obcordata | L, T |
| RIO GRANDE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| ROUTT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| SAGUACHE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | INSECTS | BUTTERFLY, UNCOMPAHGRE FRITILLARY. | Boloria acrocnema | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| SAN JUAN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| SAN MIGUEL | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | INSECTS | BUTTERFLY, UNCOMPAHGRE FRITILLARY. | Boloria acrocnema | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | CACTUS, SPINELESS HEDGEHOG | Echinocereus triglochidiatus var. inermis | L, E |
| SEDGWICK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| SUMMIT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | PLANTS | MUSTARD, PENLAND ALPINE FEN | Eutrema penlandii | L, T |
| TELLER | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | INSECTS | SKIPPER, PAWNEE MONTANE | Hesperia leonardus (=pawnee) montana | L, T |
| WASHINGTON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| WELD | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | PLANTS | LADIES'-TRESSES, UTE | Spiranthes diluvialis | L, T |
| YUMA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| **CONNECTICUT** | | | | |
| FAIRFIELD | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| HARTFORD | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| LITCHFIELD | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | POGONIA, SMALL WHORLED | Isotria medeoloides | L, T |
| MIDDLESEX | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| | INSECTS | BEETLE, PURITAN TIGER | Cicindela puritana | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| NEW HAVEN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, ROSEATE | Sterna dougalli dougalli | L, E, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| NEW LONDON | BIRDS | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| TOLLAND | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | POGONIA, SMALL WHORLED | Isotria medeoloides | L, T |

## IV. COUNTY/SPECIES LIST—Continued

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| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| WINDHAM | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| **DISTRICT OF COLUMBIA** | | | | |
| DISTRICT OF COLUMBIA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | CRUSTACEAN | AMPHIPOD, HAY'S SPRING | Stygobromus hayi | L, E |
| **DELAWARE** | | | | |
| KENT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| | PLANTS | PINK, SWAMP | Helonias bullata | L, T |
| | REPTILES | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| | | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| NEW CASTLE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| | PLANTS | PINK, SWAMP | Helonias bullata | L, T |
| | | POGONIA, SMALL WHORLED | Isotria medeoloides | L, T |
| SUSSEX | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | MAMMALS | SQUIRREL, DELMARVA PENINSULA FOX | Sciurus niger cinereus | L, E |
| | PLANTS | PINK, SWAMP | Helonias bullata | L, T |
| | REPTILES | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| **GUAM** | | | | |
| GUAM | BIRDS | BROADBILL, GUAM | Myiagra freycineti | L, E |
| | | CROW, MARIANA | Corvus kubaryi | L, E |
| | | KINGFISHER, GUAM MICRONESIAN | Halcyon cinnamomina cinnamomina | L, E |
| | | MOORHEN, MARIANA COMMON | Gallinula chloropus guami | L, E |
| | | RAIL, GUAM | Rallus owstoni | L, E |
| | | SWIFTLET, MARIANA GRAY (=VANIKORO) | Aerodramus vanikorensis bartschi | L, E |
| | | WHITE-EYE, BRIDLED (NOSSA) | Zosterops conspicillata conspicillata | L, E |
| | | WHITE-EYE, BRIDLED (NOSSA) | Zosterops conspicillata conspicillata | L, E |
| | MAMMALS | BAT, LITTLE MARIANA FRUIT | Pteropus tokudae | L, E |
| | | BAT, MARIANA FRUIT | Pteropus mariannus mariannus | L, E |
| | | DUGONG | Dugong dugon | L, E |
| | PLANTS | HAYUN LAGU (TRONKON GUAFI) | Serianthes nelsonii | L, E |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| **IOWA** | | | | |
| ADAIR | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | MILKWEED, MEAD'S | Asclepias meadii | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| ADAMS | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| ALLAMAKEE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | CLAMS | PEARLYMUSSEL, HIGGINS' EYE | Lampsilis higginsi | L, E |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | MONKSHOOD, NORTHERN WILD | Aconitum noveboracense | L, T |
| APPANOOSE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, EASTERN PRAIRIE FRINGED | Platanthera leucophaea | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| AUDUBON | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| BENTON | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| BLACK HAWK | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| BOONE | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| BREMER | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| BUCHANAN | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| BUENA VISTA | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| BUTLER | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |

## IV. COUNTY/SPECIES LIST—Continued

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| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| CALHOUN | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| CARROLL | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| CASS | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| CEDAR | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, EASTERN PRAIRIE FRINGED | Platanthera leucophaea | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| CERRO GORDO | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | FERN, AMERICAN HART'S-TONGUE | Phyllitis scolopendrium var. americana | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| CHEROKEE | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| CHICKASAW | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| CLARKE | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | MILKWEED, MEAD'S | Asclepias meadii | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| CLAY | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| CLAYTON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | CLAMS | PEARLYMUSSEL, HIGGINS' EYE | Lampsilis higginsi | L, E |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | MONKSHOOD, NORTHERN WILD | Aconitum noveboracense | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| | SNAILS | SNAIL, IOWA PLEISTOCENE | Discus macclintocki | L, E |
| CLINTON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | CLAMS | PEARLYMUSSEL, HIGGINS' EYE | Lampsilis higginsi | L, E |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| | SNAILS | SNAIL, IOWA PLEISTOCENE | Discus macclintocki | L, E |
| CRAWFORD | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| DALLAS | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| DAVIS | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, EASTERN PRAIRIE FRINGED | Platanthera leucophaea | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| DECATUR | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | MILKWEED, MEAD'S | Asclepias meadii | L, T |
| | | ORCHID, EASTERN PRAIRIE FRINGED | Platanthera leucophaea | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| DELAWARE | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | MONKSHOOD, NORTHERN WILD | Aconitum noveboracense | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| DES MOINES | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | CLAMS | PEARLYMUSSEL, HIGGINS' EYE | Lampsilis higginsi | L, E |
| | | POCKETBOOK, FAT | Potamilus (=Proptera) capax | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, EASTERN PRAIRIE FRINGED | Platanthera leucophaea | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| DICKINSON | FISHES | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| DUBUQUE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | CLAMS | PEARLYMUSSEL, HIGGINS' EYE | Lampsilis higginsi | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | MONKSHOOD, NORTHERN WILD | Aconitum noveboracense | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| | SNAILS | SNAIL, IOWA PLEISTOCENE | Discus macclintocki | L, E |
| EMMET | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| FAYETTE | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| | SNAILS | SNAIL, IOWA PLEISTOCENE | Discus macclintocki | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| FLOYD | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| FRANKLIN | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| FREMONT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| GREENE | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| GRUNDY | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| GUTHRIE | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| HAMILTON | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| HANCOCK | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| HARDIN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| HARRISON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| HENRY | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, EASTERN PRAIRIE FRINGED | Platanthera leucophaea | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| HOWARD | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| HUMBOLDT | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| IDA | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| IOWA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, EASTERN PRAIRIE FRINGED | Platanthera leucophaea | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| JACKSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | CLAMS | PEARLYMUSSEL, HIGGINS' EYE | Lampsilis higginsi | L, E |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | MONKSHOOD, NORTHERN WILD | Aconitum noveboracense | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| | SNAILS | SNAIL, IOWA PLEISTOCENE | Discus macclintocki | L, E |
| JASPER | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| JEFFERSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, EASTERN PRAIRIE FRINGED | Platanthera leucophaea | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| JOHNSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | CLAMS | POCKETBOOK, FAT | Potamilus (=Proptera) capax | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, EASTERN PRAIRIE FRINGED | Platanthera leucophaea | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| JONES | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| KEOKUK | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, EASTERN PRAIRIE FRINGED | Platanthera leucophaea | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| KOSSUTH | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| LEE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | CLAMS | PEARLYMUSSEL, HIGGINS' EYE | Lampsilis higginsi | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, EASTERN PRAIRIE FRINGED | Platanthera leucophaea | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| LINN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| LOUISA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | CLAMS | PEARLYMUSSEL, HIGGINS' EYE | Lampsilis higginsi | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, EASTERN PRAIRIE FRINGED | Platanthera leucophaea | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| LUCAS | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | MILKWEED, MEAD'S | Asclepias meadii | L, T |
| | | ORCHID, EASTERN PRAIRIE FRINGED | Platanthera leucophaea | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| LYON | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| MADISON | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | MILKWEED, MEAD'S | Asclepias meadii | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| MAHASKA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| MARION | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| MARSHALL | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| MILLS | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| MITCHELL | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| MONONA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| MONROE | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, EASTERN PRAIRIE FRINGED | Platanthera leucophaea | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| MONTGOMERY | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| MUSCATINE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | CLAMS | PEARLYMUSSEL, HIGGINS' EYE | Lampsilis higginsi | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, EASTERN PRAIRIE FRINGED | Platanthera leucophaea | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| OBRIEN | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| OSCEOLA | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| OTHER—999 | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| PAGE | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| PALO ALTO | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| PLYMOUTH | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| POCAHONTAS | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| POLK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| POTTAWATTAMIE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| POWESHIEK | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| RINGGOLD | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | MILKWEED, MEAD'S | Asclepias meadii | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| SAC | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| SCOTT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | CLAMS | PEARLYMUSSEL, HIGGINS' EYE | Lampsilis higginsi | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, EASTERN PRAIRIE FRINGED | Platanthera leucophaea | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| SHELBY | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| SIOUX | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| STORY | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| TAMA | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| TAYLOR | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| UNION | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | MILKWEED, MEAD'S | Asclepias meadii | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| VAN BUREN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, EASTERN PRAIRIE FRINGED | Platanthera leucophaea | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| WAPELLO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, EASTERN PRAIRIE FRINGED | Platanthera leucophaea | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| WARREN | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | MILKWEED, MEAD'S | Asclepias meadii | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| WASHINGTON | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, EASTERN PRAIRIE FRINGED | Platanthera leucophaea | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| WAYNE | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | MILKWEED, MEAD'S | Asclepias meadii | L, T |
| | | ORCHID, EASTERN PRAIRIE FRINGED | Platanthera leucophaea | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| WEBSTER | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| WINNEBAGO | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| WINNESHIEK | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | SNAILS | SNAIL, IOWA PLEISTOCENE | Discus macclintocki | L, E |
| WOODBURY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| WORTH | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| WRIGHT | PLANTS | BUSH-CLOVER, PRAIRIE | Lespedeza leptostachya | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| **IDAHO** | | | | |
| ADA | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| ADAMS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | SALMON, CHINOOK (SNAKE RIVER FALL RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, CHINOOK (SNAKE RIVER SPRING/SUMMER). | Oncorhynchus tshawytscha | L, E, CH |
| | | STEELHEAD, SNAKE RIVER BASIN POPULATION. | Oncorhynchus mykiss, (Snake River Basin ESU). | L, T |
| | | STEELHEAD, SNAKE RIVER BASIN POPULATION. | Oncorhynchus mykiss, (Snake River Basin ESU). | L, T |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | WOLF, GRAY | Canis lupus | L, E, T, CH |
| BANNOCK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| BEAR LAKE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| BENEWAH | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | WOLF, GRAY | Canis lupus | L, E, T, CH |
| BINGHAM | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| BLAINE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | SALMON, CHINOOK (SNAKE RIVER SPRING/SUMMER). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | MAMMALS | WOLF, GRAY | Canis lupus | L, E, T, CH |
| BOISE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | WOLF, GRAY | Canis lupus | L, E, T, CH |
| BONNER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=Ua horribilis) | L, T |
| | | CARIBOU, WOODLAND | Rangifer tarandus caribou | D, E |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| BONNEVILLE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | WOLF, GRAY | Canis lupus | L, E, T, CH |
| BOUNDARY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | STURGEON, WHITE (KOOTENAI RIVER POP). | Acipenser transmontanus | L, E |
| | | STURGEON, WHITE (KOOTENAI RIVER POP). | Acipenser transmontanus | L, E |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=Ua horribilis) | L, T |
| | | CARIBOU, WOODLAND | Rangifer tarandus caribou | L, E |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| BUTTE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| CAMAS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| CANYON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| CARIBOU | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| CASSIA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| CLARK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | WOLF, GRAY | Canis lupus | L, E, T, CH |
| CLEARWATER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | FISHES | SALMON, CHINOOK (SNAKE RIVER FALL RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, CHINOOK (SNAKE RIVER SPRING/SUMMER). | Oncorhynchus tshawytscha | L, E, CH |
| | | STEELHEAD, SNAKE RIVER BASIN POPULATION. | Oncorhynchus mykiss, (Snake River Basin ESU). | L, T |
| | | STEELHEAD, SNAKE RIVER BASIN POPULATION. | Oncorhynchus mykiss, (Snake River Basin ESU). | L, T |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=Ua horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| CUSTER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | SALMON, CHINOOK (SNAKE RIVER SPRING/SUMMER). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | | STEELHEAD, SNAKE RIVER BASIN POPULATION. | Oncorhynchus mykiss, (Snake River Basin ESU). | L, T |
| | | STEELHEAD, SNAKE RIVER BASIN POPULATION. | Oncorhynchus mykiss, (Snake River Basin ESU). | L, T |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | WOLF, GRAY | Canis lupus | L, E, T, CH |
| ELMORE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | SNAILS | LIMPET, BANBURY SPRINGS | Lanx n sp | L, E |
| | | SNAIL, BLISS RAPIDS | Family Hydrobiidae n sp | L, T |
| | | SNAIL, SNAKE RIVER PHYSA | Physa natricina | L, E |
| | | SNAIL, UTAH VALVATA | Valvata utahensis | L, E |
| | | SPRINGSNAIL, IDAHO | Fontelicella idahoensis | L, E |
| FRANKLIN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| FREMONT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=Ua horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| GEM | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| GOODING | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | SNAILS | LIMPET, BANBURY SPRINGS | Lanx n sp | L, E |
| | | SNAIL, BLISS RAPIDS | Family Hydrobiidae n sp | L, T |
| | | SNAIL, SNAKE RIVER PHYSA | Physa natricina | L, E |
| | | SNAIL, UTAH VALVATA | Valvata utahensis | L, E |
| IDAHO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | SALMON, CHINOOK (SNAKE RIVER FALL RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, CHINOOK (SNAKE RIVER SPRING/SUMMER). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | | STEELHEAD, SNAKE RIVER BASIN POPULATION. | Oncorhynchus mykiss, (Snake River Basin ESU). | L, T |
| | | STEELHEAD, SNAKE RIVER BASIN POPULATION. | Oncorhynchus mykiss, (Snake River Basin ESU). | L, T |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=Ua horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| | PLANTS | FOUR-O'CLOCK, MACFARLANE'S | Mirabilis macfarlanei | L, T |
| JEFFERSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| JEROME | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| KOOTENAI | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | WOLF, GRAY | Canis lupus | L, E, T, CH |
| | PLANTS | HOWELLIA, WATER | Howellia aquatilis | L, T |
| LATAH | PLANTS | HOWELLIA, WATER | Howellia aquatilis | L, T |
| LEMHI | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | SALMON, CHINOOK (SNAKE RIVER SPRING/SUMMER). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | | STEELHEAD, SNAKE RIVER BASIN POPULATION. | Oncorhynchus mykiss, (Snake River Basin ESU). | L, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | STEELHEAD, SNAKE RIVER BASIN POPULATION. | Oncorhynchus mykiss, (Snake River Basin ESU). | L, T |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | WOLF, GRAY | Canis lupus | L, E, T, CH |
| LEWIS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | SALMON, CHINOOK (SNAKE RIVER SPRING/SUMMER). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | | STEELHEAD, SNAKE RIVER BASIN POPULATION. | Oncorhynchus mykiss, (Snake River Basin ESU). | L, T |
| | | STEELHEAD, SNAKE RIVER BASIN POPULATION. | Oncorhynchus mykiss, (Snake River Basin ESU). | L, T |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| MADISON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| MINIDOKA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| NEZ PERCE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | SALMON, CHINOOK (SNAKE RIVER FALL RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, CHINOOK (SNAKE RIVER SPRING/SUMMER). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| OWYHEE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | SNAILS | SNAIL, SNAKE RIVER PHYSA | Physa natricina | L, E |
| | | SPRINGSNAIL, BRUNEAU HOT | Pyrgulopsis bruneauenis | L, E |
| | | SPRINGSNAIL, IDAHO | Fontelicella idahoensis | L, E |
| PAYETTE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | SALMON, CHINOOK (SNAKE RIVER SPRING/SUMMER). | Oncorhynchus tshawytscha | L, E, CH |
| POWER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | SNAILS | SNAIL, UTAH VALVATA | Valvata utahensis | L, E |
| SHOSHONE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=Ua horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| TETON | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=Ua horribilis) | L, T |
| TWIN FALLS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | SNAILS | SNAIL, BLISS RAPIDS | Family Hydrobiidae n. sp. | L, T |
| | | SNAIL, SNAKE RIVER PHYSA | Physa natricina | L, E |
| VALLEY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | SALMON, CHINOOK | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, CHINOOK (SNAKE RIVER SPRING/SUMMER). | Oncorhynchus tshawytscha | L, E, CH |
| | | STEELHEAD, SNAKE RIVER BASIN POPULATION. | Oncorhynchus mykiss, (Snake River Basin ESU). | L, T |
| | | STEELHEAD, SNAKE RIVER BASIN POPULATION. | Oncorhynchus mykiss, (Snake River Basin ESU). | L, T |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | WOLF, GRAY | Canis lupus | L, E, T, CH |
| WASHINGTON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| **JOHNSON ATOLL** | | | | |
| **KANSAS** | | | | |
| ALLEN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | MADTOM, NEOSHO | Noturus placidus | L, T |
| | PLANTS | MILKWEED, MEAD'S | Asclepias meadii | L, T |
| ANDERSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | MILKWEED, MEAD'S | Asclepias meadii | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| ATCHISON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| BARBER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| BARTON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| BOURBON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | BAT, GRAY | Myotis grisescens | L, E |
| | PLANTS | MILKWEED, MEAD'S | Asclepias meadii | L, T |
| BROWN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| BUTLER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| CHASE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | MADTOM, NEOSHO | Noturus placidus | L, T |
| CHAUTAUQUA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| CHEROKEE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | MADTOM, NEOSHO | Noturus placidus | L, T |
| | MAMMALS | BAT, GRAY | Myotis grisescens | L, E |
| CHEYENNE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| CLARK | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| CLAY | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| CLOUD | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| COFFEY | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | MADTOM, NEOSHO | Noturus placidus | L, T |
| | PLANTS | MILKWEED, MEAD'S | Asclepias meadii | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| COMANCHE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| COWLEY | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| CRAWFORD | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | BAT, GRAY | Myotis grisescens | L, E |
| | PLANTS | MILKWEED, MEAD'S | Asclepias meadii | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| DECATUR | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| DICKINSON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| DONIPHAN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | INSECTS | BEETLE, AMERICAN BURYING | Nicrophorus americanus | L, E |
| DOUGLAS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | INSECTS | BEETLE, AMERICAN BURYING | Nicrophorus americanus | L, E |
| | PLANTS | MILKWEED, MEAD'S | Asclepias meadii | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| EDWARDS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| ELK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| ELLIS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| ELLSWORTH | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| FINNEY | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| FORD | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| FRANKLIN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | MILKWEED, MEAD'S | Asclepias meadii | L, T |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| GEARY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| GOVE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| GRAHAM | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| GRANT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| GRAY | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| GREELEY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| GREENWOOD | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| HAMILTON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| HARPER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| HARVEY | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| HASKELL | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| HODGEMAN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| JACKSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| JEFFERSON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | MILKWEED, MEAD'S | Asclepias meadii | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| JEWELL | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| JOHNSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | PLANTS | MILKWEED, MEAD'S | Asclepias meadii | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| KEARNY | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| KINGMAN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| KIOWA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| LABETTE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | MADTOM, NEOSHO | Noturus placidus | L, T |
| | MAMMALS | BAT, GRAY | Myotis grisescens | L, E |
| LANE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| LEAVENWORTH | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | PLANTS | MILKWEED, MEAD'S | Asclepias meadii | L, T |
| | | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| LINCOLN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| LINN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | MILKWEED, MEAD'S | Asclepias meadii | L, T |
| LOGAN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| LYON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | MADTOM, NEOSHO | Noturus placidus | L, T |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| MARION | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | MADTOM, NEOSHO | Noturus placidus | L, T |
| MARSHALL | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| MCPHERSON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| MEADE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| MIAMI | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | MILKWEED, MEAD'S | Asclepias meadii | L, T |
| MITCHELL | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| MONTGOMERY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | INSECTS | BEETLE, AMERICAN BURYING | Nicrophorus americanus | L, E |
| MORRIS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | MADTOM, NEOSHO | Noturus placidus | L, T |
| MORTON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| NEMAHA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| NEOSHO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | MADTOM, NEOSHO | Noturus placidus | L, T |
| | PLANTS | MILKWEED, MEAD'S | Asclepias meadii | L, T |
| NESS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| NORTON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| OSAGE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| OSBORNE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| OTTAWA | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| PAWNEE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| PHILLIPS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| POTTAWATOMIE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | INSECTS | BEETLE, AMERICAN BURYING | Nicrophorus americanus | L, E |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| PRATT | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| RAWLINS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| RENO | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| REPUBLIC | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| RICE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| RILEY | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | INSECTS | BEETLE, AMERICAN BURYING | Nicrophorus americanus | L, E |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| ROOKS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| RUSH | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| RUSSELL | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| SALINE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | INSECTS | BEETLE, AMERICAN BURYING | Nicrophorus americanus | L, E |
| SCOTT | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| SEDGWICK | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| SEWARD | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| SHAWNEE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| SHERIDAN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| SHERMAN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| SMITH | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| STAFFORD | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| STANTON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| STEVENS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| SUMNER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| THOMAS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| TREGO | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| WABAUNSEE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| WALLACE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| WASHINGTON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| WICHITA | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| WILSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| WOODSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | MADTOM, NEOSHO | Noturus placidus | L, T |
| WYANDOTTE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| **LOUISIANA** | | | | |
| ACADIA | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| ALLEN | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| ASCENSION | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | CLAMS | HEELSPLITTER, INFLATED | Potamilus inflatus | L, T |
| | FISHES | STURGEON, GULF | Acipenser oxyrhynchus (=oxyrhynchus desotoi). | L, T |
| | | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| ASSUMPTION | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| AVOYELLES | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| BEAUREGARD | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| BIENVILLE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| BOSSIER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| CADDO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| CALCASIEU | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| CALDWELL | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| CAMERON | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | REPTILES | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| CATAHOULA | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| CLAIBORNE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| CONCORDIA | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | BEAR, AMERICAN BLACK | Ursus americanus | L, T |
| | | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| DE SOTO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| EAST BATON ROUGE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | CLAMS | HEELSPLITTER, INFLATED | Potamilus inflatus | L, T |
| | FISHES | STURGEON, GULF | Acipenser oxyrhynchus (=oxyrhynchus desotoi). | L, T |
| | | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| EAST CARROLL | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| EAST FELICIANA | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| EVANGELINE | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| FRANKLIN | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| GRANT | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | CLAMS | PEARLSHELL, LOUISIANA | Margaritifera hembeli | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| IBERIA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| IBERVILLE | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| JACKSON | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| JEFFERSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | REPTILES | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| JEFFERSON DAVIS | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| LA SALLE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| LAFAYETTE | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| LAFOURCHE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | REPTILES | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| LINCOLN | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| LIVINGSTON | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | CLAMS | HEELSPLITTER, INFLATED | Potamilus inflatus | L, T |
| | FISHES | STURGEON, GULF | Acipenser oxyrhynchus (=oxyrhynchus desotoi). | L, T |
| MADISON | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | TERN, CALIFORNIA LEAST | Sterna antillarum browni | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| MOREHOUSE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| NATCHITOCHES | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| ORLEANS | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | FISHES | STURGEON, GULF | Acipenser oxyrhynchus (=oxyrhynchus desotoi). | L, T |
| | | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| OUACHITA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| PLAQUEMINES | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| POINTE COUPEE | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| RAPIDES | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | CLAMS | PEARLSHELL, LOUISIANA | Margaritifera hembeli | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| RED RIVER | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| RICHLAND | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| SABINE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| ST BERNARD | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | FISHES | STURGEON, GULF | Acipenser oxyrhynchus (=oxyrhynchus desotoi). | L, T |
| | | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| ST CHARLES | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | FISHES | STURGEON, GULF | Acipenser oxyrhynchus (=oxyrhynchus desotoi). | L, T |
| | | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| ST HELENA | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| ST JAMES | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| ST JOHN THE BAPTIST | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | FISHES | STURGEON, GULF | Acipenser oxyrhynchus (=oxyrhynchus desotoi). | L, T |
| | | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| ST LANDRY | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| ST MARTIN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| ST MARY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| | REPTILES | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| ST TAMMANY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | FISHES | STURGEON, GULF | Acipenser oxyrhynchus (=oxyrhynchus desotoi). | L, T |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| | PLANTS | QUILLWORT, LOUISIANA | Isoetes louisianensis | L, E |
| | REPTILES | TORTOISE, GOPHER | Gopherus polyphemus | L, T |
| | | TURTLE, RINGED SAWBACK | Graptemys oculifera | L, T |
| TANGIPAHOA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | FISHES | STURGEON, GULF | Acipenser oxyrhynchus (=oxyrhynchus desotoi). | L, T |
| | REPTILES | TORTOISE, GOPHER | Gopherus polyphemus | L, T |
| TENSAS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| TERREBONNE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | REPTILES | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| UNION | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| VERMILION | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| | REPTILES | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| VERNON | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| WASHINGTON | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | FISHES | STURGEON, GULF | Acipenser oxyrhynchus (=oxyrhynchus desotoi). | L, T |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| | PLANTS | QUILLWORT, LOUISIANA | Isoetes louisianensis | L, E |
| | REPTILES | TORTOISE, GOPHER | Gopherus polyphemus | L, T |
| | | TURTLE, RINGED SAWBACK | Graptemys oculifera | L, T |
| WEBSTER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| WEST BATON ROUGE | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| WEST CARROLL | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| WEST FELICIANA | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| WINN | BIRDS | FALCON, ARCTIC PEREGRINE | Falco peregrinus tundrius | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | PLANTS | GEOCARPON MINIMUM | Geocarpon minimum | L, E |
| **MASSACHUSETTS** | | | | |
| BARNSTABLE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, ROSEATE | Sterna dougalli dougalli | L, E, T |
| | PLANTS | GERARDIA, SANDPLAIN | Agalinus acuta | L, E |
| | REPTILES | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| BERKSHIRE | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | | COUGAR, EASTERN | Felis concolor couguar | L, E |
| BRISTOL | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| | REPTILES | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| DUKES | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | INSECTS | BEETLE, NORTHEASTERN BEACH TIGER | Cicindela dorsalis dorsalis | L, T |
| | REPTILES | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| ESSEX | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| | PLANTS | POGONIA, SMALL WHORLED | Isotria medeoloides | L, T |
| | REPTILES | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| FRANKLIN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BULRUSH, NORTHEASTERN (=BARBED BRISTLE). | Scirpus ancistrochaetus | L, E |
| HAMPDEN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | POGONIA, SMALL WHORLED | Isotria medeoloides | L, T |
| HAMPSHIRE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| | INSECTS | BEETLE, PURITAN TIGER | Cicindela puritana | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | | COUGAR, EASTERN | Felis concolor couguar | L, E |
| | PLANTS | POGONIA, SMALL WHORLED | Isotria medeoloides | L, T |
| MIDDLESEX | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| NANTUCKET | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | REPTILES | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| NORFOLK | REPTILES | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| PLYMOUTH | BIRDS | CURLEW, ESKIMO | Numenius borealis | L, E |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, ROSEATE | Sterna dougalli dougalli | L, E, T |
| | REPTILES | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| | | TURTLE, PLYMOUTH RED-BELLIED | Pseudemys (Chrysemys) rubriventris bangsi | L, E, CH |
| SUFFOLK | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | REPTILES | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| SUFFOLK | REPTILES | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| WORCESTER | BIRDS | CROW, MARIANA | Corvus kubaryi | L, E |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | MALLARD, MARIANA | Anas oustaleti | L, E |
| | | MEGAPODE, MICRONESIAN (LA PEROUSE'S). | Megapodius laperouse | L, E |
| | | MONARCH, TINIAN | Monarcha takatsukasae | L, T |
| | | MOORHEN, MARIANA COMMON | Gallinula chloropus guami | L, E |
| | | STARLING, PONAPE MOUNTAIN | Aplonis pelzelni | L, E |
| | | SWIFTLET, MARIANA GRAY (=VANIKORO) | Aerodramus vanikorensis bartschi | L, E |
| | | WARBLER (OLD WORLD), NIGHTINGALE REED. | Acrocephalus luscinia | L, E |
| | | WARBLER (OLD WORLD), NIGHTINGALE REED. | Acrocephalus luscinia | L, E |
| | | WHITE-EYE, PONAPE GREATER | Rukia longirostra (=sanfordi) | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | | BAT, LITTLE MARIANA FRUIT | Pteropus tokudae | L, E |
| | | BAT, MARIANA FRUIT | Pteropus mariannus mariannus | L, E |
| | | COUGAR, EASTERN | Felis concolor couguar | L, E |
| | | DUGONG | Dugong dugon | L, E |
| | PLANTS | HAYUN LAGU (TRONKON GUAFI) | Serianthes nelsonii | L, E |
| | | POGONIA, SMALL WHORLED | Isotria medeoloides | L, T |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| **MAINE** | | | | |
| ANDROSCOGGIN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| AROOSTOOK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | LOUSEWORT, FURBISH | Pedicularis furbishiae | L, E |
| | | ORCHID, EASTERN PRAIRIE FRINGED | Platanthera leucophaea | L, T |
| CUMBERLAND | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| | PLANTS | POGONIA, SMALL WHORLED | Isotria medeoloides | L, T |
| FRANKLIN | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| HANCOCK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| KENNEBEC | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | PLANTS | POGONIA, SMALL WHORLED | Isotria medeoloides | L, T |
| KNOX | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | COUGAR, EASTERN | Felis concolor couguar | L, E |
| LINCOLN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | COUGAR, EASTERN | Felis concolor couguar | L, E |
| OXFORD | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | POGONIA, SMALL WHORLED | Isotria medeoloides | L, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| PENOBSCOT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| PISCATAQUIS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| SAGADAHOC | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| SOMERSET | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | COUGAR, EASTERN | Felis concolor couguar | L, E |
| WALDO | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| WASHINGTON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | TERN, ROSEATE | Sterna dougalli dougalli | L, E, T |
| YORK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | PLANTS | POGONIA, SMALL WHORLED | Isotria medeoloides | L, T |
| **MONTANA** | | | | |
| BEAVERHEAD | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | WOLF, GRAY | Canis lupus | L, E, T, CH |
| BIG HORN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| BLAINE | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| BROADWATER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| CARBON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=Ua horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| CARTER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| CASCADE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| CHOUTEAU | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| CUSTER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| DANIELS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| DAWSON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| FALLON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| FERGUS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| FLATHEAD | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=Ua horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| GALLATIN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=Ua horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| GARFIELD | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| GLACIER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=Ua horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| GOLDEN VALLEY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| GRANITE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| HILL | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| JEFFERSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| JUDITH BASIN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| LAKE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| | PLANTS | HOWELLIA, WATER | Howellia aquatilis | L, T |
| LEWIS AND CLARK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T |
| LIBERTY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| LINCOLN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | STURGEON, WHITE (KOOTENAI RIVER POP). | Acipenser transmontanus | L, E |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| MADISON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| MCCONE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| MEAGHER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| MINERAL | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| MISSOULA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| | PLANTS | HOWELLIA, WATER | Howellia aquatilis | L, T |
| MUSSELSHELL | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| PARK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| PETROLEUM | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| PHILLIPS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| PONDERA | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| POWDER RIVER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| POWELL | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| PRAIRIE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| RAVALLI | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| RICHLAND | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| ROOSEVELT | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| ROSEBUD | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| SANDERS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| SHERIDAN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| SILVER BOW | MAMMALS | WOLF, GRAY | Canis lupus | L, E, T, CH |
| STILLWATER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T |
| SWEET GRASS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| TETON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| TOOLE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| TREASURE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| VALLEY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| WHEATLAND | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| WIBAUX | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| YELLOWSTONE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| **MIDWAY ISLAND NORTH DAKOTA** | | | | |
| ADAMS | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| BARNES | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| BENSON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| BILLINGS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| BOTTINEAU | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| BOWMAN | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| BURKE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| BURLEIGH | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| CASS | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| CAVALIER | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| DICKEY | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| DIVIDE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| DUNN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| EDDY | BIRDS | CRANE, WHOOPING*** | Grus americana | L, E, CH |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| EMMONS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| FOSTER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| GOLDEN VALLEY | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| GRAND FORKS | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| GRANT | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| GRIGGS | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| HETTINGER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| KIDDER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| LA MOURE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| LOGAN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| MCHENRY | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| MCINTOSH | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| MCKENZIE | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| MCLEAN | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| MERCER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| MORTON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| MOUNTRAIL | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| NELSON | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| OLIVER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| PEMBINA | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| PIERCE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| RAMSEY | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| RANSOM | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| RENVILLE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| RICHLAND | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| ROLETTE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| SARGENT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| SHERIDAN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| SIOUX | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| SLOPE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| STARK | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| STEELE | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| STUTSMAN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| TOWNER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| TRAILL | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| WALSH | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| WARD | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| WELLS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| WILLIAMS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| **NEBRASKA** | | | | |
| ADAMS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| ARTHUR | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| BLAINE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| BOX BUTTE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | PENSTEMON, BLOWOUT | Penstemon haydenii | L, E |
| BOYD | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | CLAMS | CLUBSHELL, SOUTHERN | Pleurobema decisum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| BROWN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| BUFFALO | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| BURT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| BUTLER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| CASS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| CEDAR | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| CHASE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| CHERRY | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| | | PENSTEMON, BLOWOUT | Penstemon haydenii | L, E |
| CLAY | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| COLFAX | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| CUMING | BIRDS | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| CUSTER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| DAKOTA | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| DAWES | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| DAWSON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| DEUEL | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| DIXON | BIRDS | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| DODGE | BIRDS | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| DOUGLAS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| DUNDY | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| FRANKLIN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| FRONTIER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| FURNAS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| GAGE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| GARDEN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | PLANTS | PENSTEMON, BLOWOUT | Penstemon haydenii | L, E |
| GARFIELD | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| GOSPER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| GRANT | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| GREELEY | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| HALL | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| HAMILTON | BIRDS | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| HARLAN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| HITCHCOCK | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| HOLT | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| HOOKER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | PLANTS | PENSTEMON, BLOWOUT | Penstemon haydenii | L, E |
| HOWARD | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| KEARNEY | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| KEITH | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| KEYA PAHA | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| KNOX | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| LANCASTER | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| LINCOLN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| LOGAN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| LOUP | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| MADISON | BIRDS | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| MERRICK | BIRDS | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| MORRILL | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | PLANTS | PENSTEMON, BLOWOUT | Penstemon haydenii | L, E |
| NANCE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| NEMAHA | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| NUCKOLLS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| OTOE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| PERKINS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| PHELPS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| PHELPS | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| PLATTE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| POLK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| RED WILLOW | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| RICHARDSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| ROCK | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| SARPY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| SAUNDERS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| SCOTT BLUFF | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| SEWARD | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| SHERIDAN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | PENSTEMON, BLOWOUT | Penstemon haydenii | L, E |
| SHERMAN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |

## IV. COUNTY/SPECIES LIST—Continued

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| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| SIOUX | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| STANTON | BIRDS | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| THOMAS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| THURSTON | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| VALLEY | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| WASHINGTON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| WEBSTER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| WHEELER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| **NEW HAMPSHIRE** | | | | |
| BELKNAP | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | POGONIA, SMALL WHORLED | Isotria medeoloides | L, T |
| CARROLL | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | POGONIA, SMALL WHORLED | Isotria medeoloides | L, T |
| CHESHIRE | CLAMS | MUSSEL, DWARF WEDGE | Alasmidonta heterodon | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| COOS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | CINQUEFOIL, ROBBINS' | Potentilla robbinsiana | L, E, CH |
| GRAFTON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | CINQUEFOIL, ROBBINS' | Potentilla robbinsiana | L, E, CH |
| HILLSBOROUGH | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | POGONIA, SMALL WHORLED | Isotria medeoloides | L, T |
| MERRIMACK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | INSECTS | BUTTERFLY, KARNER BLUE | Lycaeides melissa samuelis | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | POGONIA, SMALL WHORLED | Isotria medeoloides | L, T |
| ROCKINGHAM | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | PLANTS | POGONIA, SMALL WHORLED | Isotria medeoloides | L, T |
| STRAFFORD | PLANTS | POGONIA, SMALL WHORLED | Isotria medeoloides | L, T |
| SULLIVAN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | CLAMS | MUSSEL, DWARF WEDGE | Alasmidonta heterodon | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | MILK-VETCH, JESUP'S | Astragalus robbinsii var. jesupi | L, E |
| **NEW MEXICO** | | | | |
| BERNAILILLO | BIRDS | FLYCATCHER, SOUTHWESTERN WILLOW | Empiodonax traillii extimus | L, E |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | MINNOW, RIO GRANDE SILVERY | Hybognathus amarus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| CATRON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | FLYCATCHER, SOUTHWESTERN WILLOW | Empiodonax traillii extimus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | MINNOW, LOACH | Tiaroga cobitis | L, T, CH |
| | | SPIKEDACE | Meda fulgida | L, T, CH |
| | | TROUT, GILA | Salmo gilae | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | FLEABANE, ZUNI | Erigeron rhizomatus | L, T |
| CHAVES | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |

## IV. COUNTY/SPECIES LIST—Continued

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| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | FISHES | GAMBUSIA, PECOS | Gambusia nobilis | L, E |
| | | SHINER, PECOS BLUNTNOSE | Notropis simus peconsensis | L, T, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | CACTUS, KUENZLER HEDGEHOG | Echinocereus fendleri var. kuenzleri | L, E |
| CIBOLA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| COLFAX | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| CURRY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| DE BACA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | SHINER, PECOS BLUNTNOSE | Notropis simus peconsensis | L, T, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| DONA ANA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | CACTUS, SNEED PINCUSHION | Coryphantha sneedii var. sneedii | L, E |
| EDDY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | GAMBUSIA, PECOS | Gambusia nobilis | L, E |
| | | SHINER, PECOS BLUNTNOSE | Notropis simus peconsensis | L, T, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | CACTUS, LEE PINCUSHION | Coryphantha sneedii var. leei | L, T |
| | | CACTUS, LLOYD'S HEDGEHOG | Echinocereus lloydii | L, E |
| | | WILD-BUCKWHEAT, GYPSUM | Eriogonum gypsophilum | L, T, CH |
| GRANT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | FLYCATCHER, SOUTHWESTERN WILLOW | Empiodonax traillii extimus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | CHUB, CHIHUAHUA | Gila nigrescens | L, T |
| | | MINNOW, LOACH | Tiaroga cobitis | L, T, CH |
| | | SHINER, BEAUTIFUL | Notropis formosus | L, T, CH |
| | | SPIKEDACE | Meda fulgida | L, T, CH |
| | | TOPMINNOW, GILA (YAQUI) | Poeciliopsis occidentalis | L, E |
| | | TROUT, GILA | Salmo gilae | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| GUADALUPE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| HARDING | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| HIDALGO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | FLYCATCHER, SOUTHWESTERN WILLOW | Empiodonax traillii extimus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | SPIKEDACE | Meda fulgida | L, T, CH |
| | MAMMALS | BAT, LESSER (=SANBORN'S) LONG-NOSED. | Leptonycteris sanborni | L, E |
| | | BAT, MEXICAN LONG-NOSED | Leptonycteris nivalis | L, E |
| | | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| | REPTILES | RATTLESNAKE, NEW MEXICAN RIDGE-NOSED. | Crotalus willardi obscurus | L, T, CH |
| LEA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| LINCOLN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | PLANTS | CACTUS, KUENZLER HEDGEHOG | Echinocereus fendleri var. kuenzleri | L, E |
| LOS ALAMOS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| LUNA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | SHINER, BEAUTIFUL | Notropis formosus | L, T, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| MCKINLEY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | FLEABANE, ZUNI | Erigeron rhizomatus | L, T |
| MORA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| OTERO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | CACTUS, KUENZLER HEDGEHOG | Echinocereus fendleri var. kuenzleri | L, E |
| | | PENNYROYAL, TODSEN'S | Hedeoma todsenii | L, E, CH |
| | | POPPY, SACRAMENTO PRICKLY | Argemone pleiacantha ssp. pinnatisecta | L, E |
| | | THISTLE, SACRAMENTO MOUNTAINS | Cirsium vinaceum | L, T |
| QUAY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| RIO ARRIBA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| ROOSEVELT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| SAN JUAN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | SQUAWFISH, COLORADO | Ptychocheilus lucius | L, CH |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | CACTUS, KNOWLTON | Pediocactus knowltonii | L, E |
| | | CACTUS, MESA VERDE | Sclerocactus mesae-verdae (=Pediocactus m). | L, T |
| | | MILK-VETCH, MANCOS | Astragalus humillimus | L, E |
| SAN MIGUEL | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | IPOMOPSIS, HOLY GHOST | Ipomopsis sancti-spiritus | L, E |
| SANDOVAL | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | MINNOW, RIO GRANDE SILVERY | Hybognathus amarus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| SANTA FE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| SIERRA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | TROUT, GILA | Salmo gilae | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | PENNYROYAL, TODSEN'S | Hedeoma todsenii | L, E, CH |
| SOCORRO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | CRUSTACEAN | ISOPOD, SOCORRO | Thermosphaeroma (=Exosphaeroma) thermophilus. | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | FISHES | MINNOW, RIO GRANDE SILVERY | Hybognathus amarus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | SNAILS | SPRINGSNAIL, ALAMOSA | Tryonia alamosae | L, E |
| | | SPRINGSNAIL, SOCORRO | Pyrgulopsis neomexicana | L, E |
| TAOS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| TORRANCE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| UNION | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| VALENCIA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | MINNOW, RIO GRANDE SILVERY | Hybognathus amarus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| **NORTHERN MARIANAS** | | | | |
| **NEVADA** | | | | |
| CARSON CITY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| CHURCHILL | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| CLARK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | RAIL, YUMA CLAPPER | Rallus longirostris yumanensis | L, E |
| | FISHES | CHUB, BONYTAIL | Gila elegans | L, E, CH |
| | | CHUB, VIRGIN RIVER | Gila robusta seminuda | L, E |
| | | DACE, MOAPA | Moapa coriacea | L, E |
| | | POOLFISH, PAHRUMP (=PAHRUMP KILLIFISH). | Empetrichythys latos | L, E |
| | | PUPFISH, DEVILS HOLE | Cyprinodon diabolis | L, E |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | | WOUNDFIN | Plagopterus argentissimus | L, E |
| | REPTILES | TORTOISE, DESERT | Gopherus (=Xerobates, =Scaptochelys) agassizii. | L, T, CH |
| DOUGLAS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| ELKO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | DACE, CLOVER VALLEY SPECKLED | Rhinichthys osculus oligoporous | L, E |
| | | DACE, INDEPENDENCE VALLEY SPECKLED. | Rhinichthys osculus lethoporous | L, E |
| | | TROUT, LAHONTAN CUTTHROAT | Salmo clarki henshawi | L, T |
| ESMERALDA | REPTILES | TORTOISE, DESERT | Gopherus (=Xerobates, =Scaptochelys) agassizii. | L, T, CH |
| EUREKA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | TROUT, LAHONTAN CUTTHROAT | Salmo clarki henshawi | L, T |
| HUMBOLDT | FISHES | DACE, DESERT | Eremichthys acros | L, T, CH |
| | | TROUT, LAHONTAN CUTTHROAT | Salmo clarki henshawi | L, T |
| LANDER | FISHES | TROUT, LAHONTAN CUTTHROAT | Salmo clarki henshawi | L, T |
| LINCOLN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | CHUB, PAHRANAGAT ROUNDTAIL | Gila robusta jordani | L, E |
| | | DACE, MOAPA | Moapa coriacea | L, E |
| | | SPINEDACE, BIG SPRING | Lepidomeda mollispinis pratensis | L, T, CH |
| | | SPRINGFISH, HIKO WHITE RIVER | Crenichthys baileyi grandis | L, E, CH |
| | | SPRINGFISH, WHITE RIVER | Crenichthys baileyi baileyi | L, E, CH |
| | PLANTS | LADIES'-TRESSES, UTE | Spiranthes diluvialis | L, T |
| | REPTILES | TORTOISE, DESERT | Gopherus (=Xerobates, =Scaptochelys) agassizii. | L, T, CH |
| LYON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| MINERAL | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | SPRINGFISH, HIKO WHITE RIVER | Crenichthys baileyi grandis | L, E, CH |
| | | SPRINGFISH, RAILROAD VALLEY | Crenichthys nevadae | L, T, CH |
| | | TROUT, LAHONTAN CUTTHROAT | Salmo clarki henshawi | L, T |
| | PLANTS | MILK-VETCH, SODAVILLE | Astragalus lentiginosus var. Seslquimetralis | P, T |
| NYE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | DACE, ASH MEADOWS SPECKLED | Rhinichthys osculus nevadensis | L, E, CH |
| | | POOLFISH, PAHRUMP (=PAHRUMP KILLIFISH). | Empetrichythys latos | L, E |
| | | PUPFISH, ASH MEADOWS AMARGOSA | Cyprinodon nevadensis mionectes | L, E, CH |
| | | PUPFISH, DEVILS HOLE | Cyprinodon diabolis | L, E |
| | | PUPFISH, WARM SPRINGS | Cyprinodon nevadensis pectoralis | L, E |

## IV. COUNTY/SPECIES LIST—Continued

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| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | SPINEDACE, WHITE RIVER | Lepidomeda albivallis | L, E, CH |
| | | SPRINGFISH, RAILROAD VALLEY | Crenichthys nevadae | L, T, CH |
| | | TROUT, LAHONTAN CUTTHROAT | Salmo clarki henshawi | L, T |
| | INSECTS | NAUCORID, ASH MEADOWS | Ambrysus amargosus | L, T, CH |
| | PLANTS | BLAZING STAR, ASH MEADOWS | Mentzelia leucophylla | L, T, CH |
| | | CENTAURY, SPRING-LOVING | Centaurium namophilum var. namophilum | L, T, CH |
| | | GUMPLANT, ASH MEADOWS | Grindelia fraxino-pratensis | L, T, CH |
| | | IVESIA, ASH MEADOWS | Ivesia eremica | L, T, CH |
| | | MILK-VETCH, ASH MEADOWS | Astragalus phoenix | L, T, CH |
| | | NITERWORT, AMARGOSA | Nitrophila mohavensis | L, E, CH |
| | | SUNRAY, ASH MEADOWS | Enceliopsis nudicaulis var. corrugata | L, T, CH |
| | REPTILES | TORTOISE, DESERT | Gopherus (=Xerobates, =Scaptochelys) agassizii. | L, T, CH |
| PERSHING | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| STOREY | FISHES | TROUT, LAHONTAN CUTTHROAT | Salmo clarki henshawi | L, T |
| WASHOE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | CUI-UI | Chasmistes cujus | L, E |
| | | SUCKER, WARNER | Catostomus warnerensis | L, T, CH |
| | | TROUT, LAHONTAN CUTTHROAT | Salmo clarki henshawi | L, T |
| | PLANTS | BUCKWHEAT, STEAMBOAT | Eriogonum ovalifolium var. williamsiae | L, E |
| WHITE PINE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | POOLFISH, PAHRUMP (=PAHRUMP KILLIFISH). | Empetrichythys latos | L, E |
| | | SPINEDACE, WHITE RIVER | Lepidomeda albivallis | L, E, CH |
| ALBANY | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| | INSECTS | BUTTERFLY, KARNER BLUE | Lycaeides melissa samuelis | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| ALLEGANY | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| BRONX | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| BROOME | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| CATTARAUGUS | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| CAYUGA | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | ROSEROOT, LEEDY'S | Sedum integrifolium ssp. Leedyi | L, T |
| CHAUTAUQUA | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| CHEMUNG | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| CHENANGO | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| CLINTON | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| COLUMBIA | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| CORTLAND | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| DELAWARE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | MONKSHOOD, NORTHERN WILD | Aconitum noveboracense | L, T |
| DUTCHESS | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| ERIE | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| ESSEX | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| FRANKLIN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| FULTON | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| GENESEE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| GREENE | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| HAMILTON | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| HERKIMER | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| JEFFERSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| KINGS | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | AMARANTH, SEABEACH | Amaranthus pumilus | L, T |
| LEWIS | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| LIVINGSTON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| MADISON | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | FERN, AMERICAN HART'S-TONGUE | Phyllitis scolopendrium var. americana | L, T |
| | SNAILS | SNAIL, CHITTENANGO OVATE AMBER | Succinea chittenangoensis | L, T |
| MONROE | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| MONTGOMERY | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| NASSAU | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | PLANTS | AMARANTH, SEABEACH | Amaranthus pumilus | L, T |
| | | GERARDIA, SANDPLAIN | Agalinus acuta | L, E |
| | REPTILES | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| NEW YORK | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| NIAGARA | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| ONEIDA | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| ONONDAGA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | FERN, AMERICAN HART'S-TONGUE | Phyllitis scolopendrium var. americana | L, T |
| | | POGONIA, SMALL WHORLED | Isotria medeoloides | L, T |
| ONTARIO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| ORANGE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | CLAMS | MUSSEL, DWARF WEDGE | Alasmidonta heterodon | L, E |
| | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| ORLEANS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E |
| OSWEGO | BIRDS | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | | BAT, INDIANA | Myotis sodalis | L, E, CH |
| PUTNAM | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| QUEENS | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| RENSSELAER | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| RICHMOND | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| ROCKLAND | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| SARATOGA | INSECTS | BUTTERFLY, KARNER BLUE | Lycaeides melissa samuelis | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| SCHENECTADY | INSECTS | BUTTERFLY, KARNER BLUE | LYCAEIDES MELISSA SAMUELIS | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| SCHOHARIE | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| SCHUYLER | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | ROSEROOT, LEEDY'S | SEDUM INTEGRIFOLIUM SSP. LEEDYI | L, T |
| SENECA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| ST LAWRENCE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| STEUBEN | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| SUFFOLK | BIRDS | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, ROSEATE | Sterna dougalli dougalli | L, E, T |
| | PLANTS | AMARANTH, SEABEACH | Amaranthus pumilus | L, T |
| | | GERARDIA, SANDPLAIN | Agalinus acuta | L, E |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| | REPTILES | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| SULLIVAN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | MONKSHOOD, NORTHERN WILD | Aconitum noveboracense | L, T |
| TIOGA | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| TOMPKINS | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| ULSTER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | MONKSHOOD, NORTHERN WILD | Aconitum noveboracense | L, T |
| WARREN | INSECTS | BUTTERFLY, KARNER BLUE | Lycaeides melissa samuelis | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E |
| WASHINGTON | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| WAYNE | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| WESTCHESTER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| WYOMING | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| YATES | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | ROSEROOT, LEEDY'S | Sedum integrifolium ssp. Leedyi | L, T |
| **OKLAHOMA** | | | | |
| ADAIR | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, GRAY | Myotis grisescens | L, E |
| | | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | | BAT, OZARK BIG-EARED | Plecotus townsendii ingens | L, E |
| ALFALFA | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| ATOKA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| BEAVER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| BECKHAM | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| BLAINE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| BRYAN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | INSECTS | BEETLE, AMERICAN BURYING | Nicrophorus americanus | L, E |
| | REPTILES | ALLIGATOR, AMERICAN | Alligator mississippiensis | L, T |
| CADDO | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| CANADIAN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| CARTER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| CHEROKEE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | INSECTS | BEETLE, AMERICAN BURYING | Nicrophorus americanus | L, E |
| | MAMMALS | BAT, GRAY | Myotis grisescens | L, E |
| | | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | | BAT, OZARK BIG-EARED | Plecotus townsendii ingens | L, E |
| CHOCTAW | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | ORCHID, EASTERN PRAIRIE FRINGED | Platanthera leucophaea | L, T |
| CIMARRON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | SHINER, ARKANSAS RIVER | NOTROPIS GIRARDI | P, E |
| CLEVELAND | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| COMANCHE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| COTTON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| CRAIG | FISHES | CAVEFISH, OZARK | Amblyopsis rosae | L, T |
| | | MADTOM, NEOSHO | Noturus placidus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| CREEK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| CUSTER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| DELAWARE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | CAVEFISH, OZARK | Amblyopsis rosae | L, T |
| | MAMMALS | BAT, GRAY | Myotis grisescens | L, E |
| | | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | | BAT, OZARK BIG-EARED | Plecotus townsendii ingens | L, E |
| DEWEY | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| ELLIS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| GARFIELD | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| GARVIN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| GRADY | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| GRANT | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| GREER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| HARMON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| HARPER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| HASKELL | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | INSECTS | BEETLE, AMERICAN BURYING | Nicrophorus americanus | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| HUGHES | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| JACKSON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| JEFFERSON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| JOHNSTON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| KAY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| KINGFISHER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| KIOWA | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| LATIMER | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | INSECTS | BEETLE, AMERICAN BURYING | Nicrophorus americanus | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| LE FLORE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |

## IV. COUNTY/SPECIES LIST—Continued

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| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | CLAMS | ROCK-POCKETBOOK, OUACHITA | Arkansia (=Arcidens) wheeleri | L, E |
| | | ROCK-POCKETBOOK, OUACHITA (=WHEELER'S PM). | Arkansia (=Arcidens) wheeleri | L, E |
| | FISHES | DARTER, LEOPARD | Percina pantherina | L, T, CH |
| | INSECTS | BEETLE, AMERICAN BURYING | Nicrophorus americanus | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| LINCOLN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| LOGAN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| LOVE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| MAJOR | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| MARSHALL | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| MAYES | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | CAVEFISH, OZARK | Amblyopsis rosae | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| MCCLAIN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| MCCURTAIN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | FISHES | DARTER, LEOPARD | Percina pantherina | L, T, CH |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | REPTILES | ALLIGATOR, AMERICAN | Alligator mississippiensis | L, T |
| MCINTOSH | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| MURRAY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| MUSKOGEE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | INSECTS | BEETLE, AMERICAN BURYING | Nicrophorus americanus | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| NOBLE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| NOWATA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| OKLAHOMA | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| OSAGE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | CURLEW, ESKIMO | Numenius borealis | L, E |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| OTTAWA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | CAVEFISH, OZARK | Amblyopsis rosae | L, T |
| | | MADTOM, NEOSHO | Noturus placidus | L, T |
| | MAMMALS | BAT, GRAY | Myotis grisescens | L, E |
| | | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | | BAT, OZARK BIG-EARED | Plecotus townsendii ingens | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| PAWNEE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| PAYNE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| PITTSBURG | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| PONTOTOC | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| POTTAWATOMIE | BIRDS | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| PUSHMATAHA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | CLAMS | ROCK-POCKETBOOK, OUACHITA | Arkansia (=Arcidens) wheeleri | L, E |
| | | ROCK-POCKETBOOK, OUACHITA (=WHEELER'S PM). | Arkansia (=Arcidens) wheeleri | L, E |
| | FISHES | DARTER, LEOPARD | Percina pantherina | L, T, CH |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| ROGER MILLS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| ROGERS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| SEMINOLE | BIRDS | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| SEQUOYAH | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | INSECTS | BEETLE, AMERICAN BURYING | Nicrophorus americanus | L, E |
| | | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | | BAT, OZARK BIG-EARED | Plecotus townsendii ingens | L, E |
| STEPHENS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| TEXAS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| TILLMAN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| TULSA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | INSECTS | BEETLE, AMERICAN BURYING | Nicrophorus americanus | L, E |
| WAGONER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| WASHINGTON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| WASHITA | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| WOODS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | CURLEW, ESKIMO | Numenius borealis | L, E |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| WOODWARD | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| **OREGON** | | | | |
| BAKER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | FISHES | SALMON, CHINOOK (SNAKE RIVER SPRING/SUMMER). | Oncorhynchus tshawytscha | L, E, CH |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| BENTON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | FISHES | CHUB, OREGON | Oregonichthys crameri | L, E |
| | | STEELHEAD, KLAMATH MOUNTAINS PROVINCE. | Oncoryhnchus mykiss | P, T |
| | | STEELHEAD, OREGON COAST POPULATION. | Oncorhynchus mykiss, (Oregon Coast ESU) | P, T |
| | PLANTS | CHECKER-MALLOW, NELSON'S | SIDALCEA NELSONIANA | L, T |
| | | LOMATIUM, BRADSHAW'S | Lomatium bradshawii | L, E |
| CLACKAMAS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | CHUB, OREGON | Oregonichthys crameri | L, E |
| | | STEELHEAD, KLAMATH MOUNTAINS PROVINCE. | Oncoryhnchus mykiss | P, T |
| | | STEELHEAD, LOWER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Lower Columbia ESU). | P, T |
| | | STEELHEAD, LOWER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Lower Columbia ESU). | P, T |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | PLANTS | CHECKER-MALLOW, NELSON'S | Sidalcea nelsoniana | L, T |
| CLATSOP | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | FISHES | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | | STEELHEAD, KLAMATH MOUNTAINS PROVINCE. | Oncoryhnchus mykiss | P, T |
| | | STEELHEAD, OREGON COAST POPULATION. | Oncorhynchus mykiss, (Oregon Coast ESU) | P, T |
| | INSECTS | BUTTERFLY, OREGON SILVERSPOT | Speyeria zerene hippolyta | L, T, CH |
| | MAMMALS | DEER, COLUMBIAN WHITE-TAILED | Odocoileus virginianus leucurus | L, E |
| COLUMBIA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | | STEELHEAD, KLAMATH MOUNTAINS PROVINCE. | Oncoryhnchus mykiss | P, T |
| | MAMMALS | DEER, COLUMBIAN WHITE-TAILED | Odocoileus virginianus leucurus | L, E |
| COOS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | FISHES | STEELHEAD, KLAMATH MOUNTAINS PROVINCE. | Oncoryhnchus mykiss | P, T |
| | | STEELHEAD, OREGON COAST POPULATION. | Oncorhynchus mykiss, (Oregon Coast ESU) | P, T |
| | PLANTS | LILY, WESTERN | Lilium occidentale | L, E |
| CROOK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| CURRY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | FISHES | SALMON, COHO (SOUTHERN OR/NORTHERN CA COAST). | Oncorhynchus kisutch | L, T |

## IV. COUNTY/SPECIES LIST—Continued

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| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | STEELHEAD, KLAMATH MOUNTAINS PROVINCE. | Oncoryhnchus mykiss | P, T |
| | | STEELHEAD, OREGON COAST POPULATION. | Oncorhynchus mykiss, (Oregon Coast ESU) | P, T |
| | PLANTS | ROCK-CRESS, RED MT | Arabis mcdonaldiana | L, E |
| DESCHUTES | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| DOUGLAS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | FISHES | STEELHEAD, KLAMATH MOUNTAINS PROVINCE. | Oncoryhnchus mykiss | P, T |
| | | STEELHEAD, OREGON COAST POPULATION. | Oncorhynchus mykiss, (Oregon Coast ESU) | P, T |
| | | TROUT, CUTTHROAT (UMPQUA RIVER POPULATION). | Oncorhynchus clarki clarki | L, E |
| | | TROUT, CUTTHROAT (UMPQUA RIVER POPULATION). | Oncorhynchus clarki clarki | L, E |
| | | TROUT, CUTTHROAT (UMPQUA RIVER POPULATION). | Oncorhynchus clarki clarki | L, E |
| | MAMMALS | DEER, COLUMBIAN WHITE-TAILED | Odocoileus virginianus leucurus | L, E |
| GILLIAM | FISHES | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| GRANT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| FALCON, PEREGRINE | Falco peregrinus | L, E. | | |
| | FISHES | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| HARNEY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | CHUB, BORAX LAKE | Gila boraxobius | L, E, CH |
| | | TROUT, LAHONTAN CUTTHROAT | Salmo clarki henshawi | L, T |
| | PLANTS | WIRE-LETTUCE, MALHEUR | Stephanomeria malheurensis | L, E, CH |
| HOOD RIVER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | | STEELHEAD, LOWER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Lower Columbia ESU). | P, T |
| | | STEELHEAD, LOWER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Lower Columbia ESU). | P, T |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| JACKSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | STEELHEAD, KLAMATH MOUNTAINS PROVINCE. | Oncoryhnchus mykiss | P, T |
| JEFFERSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| JOSEPHINE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | STEELHEAD, KLAMATH MOUNTAINS PROVINCE. | Oncoryhnchus mykiss | P, T |
| | | STEELHEAD, OREGON COAST POPULATION. | Oncorhynchus mykiss, (Oregon Coast ESU) | P, T |
| KLAMATH | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | STEELHEAD, KLAMATH MOUNTAINS PROVINCE. | Oncoryhnchus mykiss | P, T |
| | | SUCKER, LOST RIVER | Deltistes luxatus | L, E |
| | | SUCKER, SHORTNOSE | Chasmistes brevirostris | L, E |
| | | TROUT, BULL (KLAMATH RIVER POPULATION). | Salvelinus confluentus | P, E |
| | PLANTS | MILK-VETCH, APPLEGATE'S | Astragalus applegatei | L, E |

## IV. COUNTY/SPECIES LIST—Continued

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| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| LAKE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | CHUB, HUTTON TUI | Gila bicolor ssp. | L, T |
| | | DACE, FOSKETT SPECKLED | Rhinichthys osculus ssp. | L, T |
| | | SUCKER, WARNER | Catostomus warnerensis | L, T, CH |
| | | TROUT, BULL (KLAMATH RIVER POPULATION). | Salvelinus confluentus | P, E |
| LANE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | FISHES | CHUB, OREGON | Oregonichthys crameri | L, E |
| | | STEELHEAD, KLAMATH MOUNTAINS PROVINCE. | Oncoryhnchus mykiss | P, T |
| | | STEELHEAD, OREGON COAST POPULATION. | Oncorhynchus mykiss, (Oregon Coast ESU) | P, T |
| | INSECTS | BUTTERFLY, OREGON SILVERSPOT | Speyeria zerene hippolyta | L, T, CH |
| | MAMMALS | DEER, COLUMBIAN WHITE-TAILED | Odocoileus virginianus leucurus | L, E |
| | PLANTS | LOMATIUM, BRADSHAW'S | Lomatium bradshawii | L, E |
| LINCOLN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | FISHES | STEELHEAD, KLAMATH MOUNTAINS PROVINCE. | Oncoryhnchus mykiss | P, T |
| | | STEELHEAD, OREGON COAST POPULATION. | Oncorhynchus mykiss, (Oregon Coast ESU) | P, T |
| | INSECTS | BUTTERFLY, OREGON SILVERSPOT | Speyeria zerene hippolyta | L, T, CH |
| LINN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | CHUB, OREGON | Oregonichthys crameri | L, E |
| | | STEELHEAD, KLAMATH MOUNTAINS PROVINCE. | Oncoryhnchus mykiss | P, T |
| | PLANTS | CHECKER–MALLOW, NELSON'S | Sidalcea nelsoniana | L, T |
| | | LOMATIUM, BRADSHAW'S | Lomatium bradshawii | L, E |
| MALHEUR | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | SALMON, CHINOOK (SNAKE RIVER SPRING/SUMMER). | Oncorhynchus tshawytscha | L, E, CH |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| MARION | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | FISHES | CHUB, OREGON | Oregonichthys crameri | L, E |
| | | STEELHEAD, KLAMATH MOUNTAINS PROVINCE. | Oncoryhnchus mykiss | P, T |
| | PLANTS | CHECKER–MALLOW, NELSON'S | Sidalcea nelsoniana | L, T |
| | | LOMATIUM, BRADSHAW'S | Lomatium bradshawii | L, E |
| MORROW | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| MULTNOMAH | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | | STEELHEAD, KLAMATH MOUNTAINS PROVINCE. | Oncoryhnchus mykiss | P, T |
| | | STEELHEAD, LOWER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Lower Columbia ESU). | P, T |
| | | STEELHEAD, LOWER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Lower Columbia ESU). | P, T |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | DEER, COLUMBIAN WHITE-TAILED | Odocoileus virginianus leucurus | L, E |
| POLK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | CHUB, OREGON | Oregonichthys crameri | L, E |
| | | STEELHEAD, KLAMATH MOUNTAINS PROVINCE. | Oncoryhnchus mykiss | P, T |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | PLANTS | CHECKER–MALLOW, NELSON'S | Sidalcea nelsoniana | L, T |
| | | LOMATIUM, BRADSHAW'S | Lomatium bradshawii | L, E |
| SHERMAN | FISHES | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| TILLAMOOK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | FISHES | STEELHEAD, KLAMATH MOUNTAINS PROVINCE. | Oncoryhnchus mykiss | P, T |
| | | STEELHEAD, OREGON COAST POPULATION. | Oncorhynchus mykiss, (Oregon Coast ESU) | P, T |
| | INSECTS | BUTTERFLY, OREGON SILVERSPOT | Speyeria zerene hippolyta | L, T, CH |
| | PLANTS | CHECKER–MALLOW, NELSON'S | Sidalcea nelsoniana | L, T |
| UMATILLA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| UNION | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | SALMON, CHINOOK (SNAKE RIVER FALL RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, CHINOOK (SNAKE RIVER SPRING/SUMMER). | Oncorhynchus tshawytscha | L, E, CH |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| WALLOWA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | SALMON, CHINOOK (SNAKE RIVER FALL RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, CHINOOK (SNAKE RIVER SPRING/SUMMER). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | PLANTS | FOUR-O'CLOCK, MACFARLANE'S | Mirabilis macfarlanei | L, T |
| WASCO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus Confluentus | P, T |
| WASHINGTON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | STEELHEAD, KLAMATH MOUNTAINS PROVINCE. | Oncoryhnchus mykiss | P, T |
| | PLANTS | CHECKER–MALLOW, NELSON'S | Sidalcea nelsoniana | L, T |
| WHEELER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| YAMHILL | BIRDS | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | STEELHEAD, KLAMATH MOUNTAINS PROVINCE. | Oncoryhnchus mykiss | P, T |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | INSECTS | BUTTERFLY, OREGON SILVERSPOT | Speyeria zerene hippolyta | L, T, CH |
| | PLANTS | CHECKER–MALLOW, NELSON'S | Sidalcea nelsoniana | L, T |
| **PUERTO RICO** | | | | |
| ADJUNTAS | AMPHIBIANS | COQUI, GOLDEN | Eleutherodactylus jasperi | L, T, CH |
| | PLANTS | ERUBIA | Solanum drymophilum | L, E |
| | | WALNUT, NOGAL | Juglans jamaicensis | L,L |
| | REPTILES | BOA, PUERTO RICAN | Epicrates inornatus | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| AGUADA | BIRDS | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | PLANTS | BOXWOOD, VAHL'S | Buxus vahlii | L, E |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| AGUADILLA | BIRDS | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| ANASCO | BIRDS | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| ARECIBO | BIRDS | FALCON, AMERICAN PEREGRINE | Falco peregrinus anatum | L, E, CH |
| | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | PLANTS | CHUPACALLOS | Pleodendron macranthum | L, E |
| | | MYRCIA PAGANII | Myrcia paganii | L, E |
| | | PALMA DE MANACA | Calyptronoma rivalis | L, T |
| | | PALO DE NIGUA | Cornutia obovata | L, E |
| | | TECTARIA ESTREMERANA | Tectaria estremerana | L, E |
| | REPTILES | BOA, PUERTO RICAN | Epicrates inornatus | L, E |
| | | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| ARROYA | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| BARCELONETA | REPTILES | BOA, PUERTO RICAN | Epicrates inornatus | L, E |
| | | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| BARRANQUITAS | BIRDS | BLACKBIRD, YELLOW-SHOULDERED | Agelaius xanthomus | L, E, CH |
| | PLANTS | PALO DE NIGUA | Cornutia obovata | L, E |
| BAYAMON | PLANTS | BOXWOOD, VAHL'S | Buxus vahlii | L, E |
| | REPTILES | BOA, PUERTO RICAN | Epicrates inornatus | L, E |
| CABO ROJO | BIRDS | BLACKBIRD, YELLOW-SHOULDERED | Agelaius xanthomus | L, E, CH |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | NIGHTJAR, PUERTO RICO | Caprimulgus noctitherus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | PLANTS | ARISTIDA CHASEAE | Aristida chaseae | L, E |
| | | BARIACO | Trichilia triacantha | L, E |
| | | COBANA NEGRA | Stahlia monosperma | L, T |
| | | EUGENIA WOODBURYANA | Eugenia woodburyana | L, E |
| | | LYONIA TRUNCATA VAR. PROCTORII | Lyonia truncata var. proctorii | L, E |
| | | MITRACARPUS MAXWELLIAE | Mitracarpus maxwelliae | L, E |
| | | MITRACARPUS POLYCLADUS | Mitracarpus polycladus | L, E |
| | | PELOS DEL DIABLO | Aristida portoricensis | L, E |
| | | VERNONIA PROCTORII | Vernonia proctorii | L, E |
| | REPTILES | BOA, PUERTO RICAN | Epicrates inornatus | L, E |
| | | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| CAMUY | PLANTS | PALMA DE MANACA | Calyptronoma rivalis | L, T |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| CAROLINA | BIRDS | BLACKBIRD, YELLOW-SHOULDERED | Agelaius xanthomus | L, E, CH |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | REPTILES | BOA, PUERTO RICAN | Epicrates inornatus | L, E |
| | | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| CARTAGENA LAGOON | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| CATANO | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| CAYEY | BIRDS | PIGEON, PUERTO RICAN PLAIN | Columbia inornata wetmorei | L, E |
| | PLANTS | UVILLO | Eugenia haematocarpa | L, E |
| | REPTILES | BOA, PUERTO RICAN | Epicrates inornatus | L, E |
| CEIBA | BIRDS | BLACKBIRD, YELLOW-SHOULDERED | Agelaius xanthomus | L, E, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus | L, E, CH |
| | PLANTS | ILEX SINTENISII | Ilex sintenisii | L, E |
| | REPTILES | BOA, PUERTO RICAN | Epicrates inornatus | L, E |
| | | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| CIALES | PLANTS | FERN, THELYPTERIS INABONENSIS | Fern, thelypteris inabonensis | L, E |
| | | FERN, THELYPTERIS YAUCOENSIS | Fern, thelypteris yaucoensis | L, E |
| CIDRA | BIRDS | PIGEON, PUERTO RICAN PLAIN | Columbia inornata wetmorei | L, E |
| COAMO | AMPHIBIANS | TOAD, PUERTO RICAN CRESTED | Peltophryne lemur | L, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | PLANTS | PRICKLY-ASH, ST THOMAS | Zanthoxylum thomasianum | L, E |
| COMERIO | BIRDS | PIGEON, PUERTO RICAN PLAIN | Columbia inornata wetmorei | L, E |
| CULEBRA | BIRDS | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | TERN, ROSEATE | Sterna dougalli dougalli | L, E, T |
| | PLANTS | LEPTOCEREUS GRANTIANUS | Leptocereus grantianus | L, E |
| | | PEPEROMIA, WHEELER'S | Peperomia wheeleri | L, E |
| | REPTILES | ANOLE, CULEBRA ISLAND GIANT | Anolis roosevelti | L, E, CH |
| | | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| DORADO | AMPHIBIANS | TOAD, PUERTO RICAN CRESTED | Peltophryne lemur | L, T |
| | BIRDS | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | PLANTS | CASSIA MIRABILIS | Cassia mirabilis | L, E |
| | | DAPHNOPSIS HELLERANA | Daphnopsis hellerana | L, E |
| | | PALO DE RAMON | Banara vanderbiltii | L, E |
| | REPTILES | BOA, PUERTO RICAN | Epicrates inornatus | L, E |
| FAJARDO | BIRDS | BLACKBIRD, YELLOW-SHOULDERED | Agelaius xanthomus | L, E, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | PLANTS | ORTEGON | Coccolobra rugosa | P, T |
| | | SCHOEPFIA ARENARIA | Schoepfia arenaria | L, T |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| GUANICA | AMPHIBIANS | TOAD, PUERTO RICAN CRESTED | Peltophryne lemur | L, T |
| | BIRDS | NIGHTJAR, PUERTO RICO | Caprimulgus noctitherus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | PLANTS | BARIACO | Trichilia triacantha | L, E |
| | | EUGENIA WOODBURYANA | Eugenia woodburyana | L, E |
| | | MITRACARPUS MAXWELLIAE | Mitracarpus maxwelliae | L, E |
| | | MITRACARPUS POLYCLADUS | Mitracarpus polycladus | L, E |
| | | PALO DE ROSA | Ottoschulzia rhodoxylon | L, E |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| GUAYAMA | BIRDS | BLACKBIRD, YELLOW-SHOULDERED | Agelaius xanthomus | L, E, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| GUAYANILLA | BIRDS | NIGHTJAR, PUERTO RICO | Caprimulgus noctitherus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | PLANTS | BARIACO | Trichilia triacantha | L, E |
| GURABO | PLANTS | ORTEGON | Coccolobra rugosa | P, T |
| HATILLO | PLANTS | FERN, THELYPTERIS VERECUNDA | Fern, thelypteris verecunda | L, E |
| | | PALMA DE MANACA | Calyptronoma rivalis | L, T |
| | | PALO DE NIGUA | Cornutia obovata | L, E |
| HORMIGUEROS | PLANTS | PELOS DEL DIABLO | Aristida portoricensis | L, E |
| HUMACAO | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | PLANTS | ORTEGON | Coccolobra rugosa | P, T |
| | REPTILES | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| ISABELA | AMPHIBIANS | TOAD, PUERTO RICAN CRESTED | Peltophryne lemur | L, T |
| | PLANTS | AUERODENDRON PAUCIFLORUM (NCN) | Auerodendron pauciflorum | L, E |
| | | AUERODENDRON PAUCIFLORUM (NCN) | Auerodendron pauciflorum | L, E |
| | | DAPHNOPSIS HELLERANA | Daphnopsis hellerana | L, E |
| | | GOETZEA, BEAUTIFUL (MATABUEY) | Goetzea elegans | L, E |
| | | PEPEROMIA, WHEELER'S | Peperomia wheeleri | L, E |
| | | PRICKLY-ASH, ST THOMAS | Zanthoxylum thomasianum | L, E |
| | | SCHOEPFIA ARENARIA | Schoepfia arenaria | L, T |
| | REPTILES | BOA, PUERTO RICAN | Epicrates inornatus | L, E |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| JAYUYA | PLANTS | FERN, ELAPHOGLOSSUM SERPENS | Fern, elaphoglossum serpens | L, E |
| | | HOLLY, COOK'S | Ilex cookii | L, E |
| | | TREE FERN, ELFIN | Cyathea dryopteroides | L, E |
| JUANA DIAZ | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| LAJAS | BIRDS | BLACKBIRD, YELLOW-SHOULDERED | Agelaius xanthomus | L, E, CH |
| | | FALCON, AMERICAN PEREGRINE | Falco peregrinus anatum | L, E, CH |
| | | NIGHTJAR, PUERTO RICO | Caprimulgus noctitherus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | TERN, ROSEATE | Sterna dougalli dougalli | L, E, T |
| | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | PLANTS | ARISTIDA CHASEAE | Aristida chaseae | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | COBANA NEGRA | Stahlia monosperma | L, T |
| | | EUGENIA WOODBURYANA | Eugenia woodburyana | L, E |
| | | LYONIA TRUNCATA VAR. PROCTORII | Lyonia truncata var. proctorii | L, E |
| | | MITRACARPUS MAXWELLIAE | Mitracarpus maxwelliae | L, E |
| | | MITRACARPUS POLYCLADUS | Mitracarpus polycladus | L, E |
| | | PELOS DEL DIABLO | Aristida portoricensis | L, E |
| | | VERNONIA PROCTORII | Vernonia proctorii | L, E |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| LARES | PLANTS | PALO DE NIGUA | Cornutia obovata | L, E |
| LOIZA | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | PLANTS | SCHOEPFIA ARENARIA | Schoepfia arenaria | L, T |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| LUQUILLO | BIRDS | HAWK, PUERTO RICAN BROAD-WINGED | Buteo platypterus brunnescens | L, E |
| | | HAWK, PUERTO RICAN SHARP-SHINNED | Accipiter striatus venator | L, E |
| | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | PLANTS | COBANA NEGRA | Stahlia monosperma | L, T |
| | | ORTEGON | Coccolobra rugosa | P, T |
| | | PALO COLORADO (TERNSTROEMIA LUQUILLENSIS). | Ternstroemia luquillensis | L, E |
| | REPTILES | BOA, PUERTO RICAN | Epicrates inornatus | L, E |
| | | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| MANATI | PLANTS | CASSIA MIRABILIS | Cassia mirabilis | L, E |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| MARICAO | BIRDS | HAWK, PUERTO RICAN BROAD-WINGED | Buteo platypterus brunnescens | L, E |
| | | HAWK, PUERTO RICAN SHARP-SHINNED | Accipiter striatus venator | L, E |
| | PLANTS | CORDIA BELLONIS (NCN) | Cordia bellonis (ncn) | L, E |
| | | CRANICHIS RICARTII | Cranichis ricartii | L, E |
| | | GESNERIA PAUCIFLORA | Gesneria pauciflora | L, T |
| | | HIGUERO DE SIERRA | Crecentia portoricensis | L, E |
| | | PALO DE ROSA | Ottoschulzia rhodoxylon | L, E |
| MAUNABO | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| MAYAGUEZ | BIRDS | BLACKBIRD, YELLOW-SHOULDERED | Agelaius xanthomus | L, E, CH |
| | | FALCON, AMERICAN PEREGRINE | Falco peregrinus anatum | L, E, CH |
| | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | PLANTS | CHUMBO, HIGO | Harrisia (=Cereus) portoricensis | L, T |
| | | PELOS DEL DIABLO | Aristida portoricensis | L, E |
| | REPTILES | BOA, MONA | Epicrates monensis monensis | L, T, CH |
| | | BOA, PUERTO RICAN | Epicrates inornatus | L, E |
| | | GECKO, MONITO | Sphaerodactylus micropithecus | L, E, CH |
| | | IGUANA, MONA GROUND | Cyclura stejnegeri | L, T, CH |
| | | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| NAGUABO | BIRDS | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | PLANTS | CAPA ROSA | Callicarpa ampla | L, E |
| | | CHUPACALLOS | Pleodendron macranthum | L, E |
| | | LEPANTHES ELTORENSIS | Lepanthes eltorensis | L, E |
| | | ORTEGON | Coccolobra rugosa | P, T |
| | | TERNSTROEMIA SUBSESSILIS | Ternstroemia subsessilis | L, E |
| | | UVILLO | Eugenia haematocarpa | L, E |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| PATILLAS | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| PENUELAS | BIRDS | NIGHTJAR, PUERTO RICO | Caprimulgus noctitherus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | PLANTS | POLYSTICHUM CALDERONENSE (NCN) | Polystichum calderonenense | L, E |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| PONCE | BIRDS | NIGHTJAR, PUERTO RICO | Caprimulgus noctitherus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | PLANTS | FERN, THELYPTERIS INABONENSIS | Fern, thelypteris inabonensis | L, E |
| | | HOLLY, COOK'S | Ilex cookii | L, E |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| QUEBRADILLAS | AMPHIBIANS | TOAD, PUERTO RICAN CRESTED | Peltophryne lemur | L, T |
| | PLANTS | ADIANTUM VIVESII (NCN) | Adiantum vivesii | L, E |
| | | FERN, ADIANTUM VIVESII | Fern, adiantum vivesii | L, E |
| | | FERN, THELYPTERIS VERECUNDA | Fern, thelypteris verecunda | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | GOETZEA, BEAUTIFUL (MATABUEY) | Goetzea elegans | L, E |
| | | MYRCIA PAGANII | Myrcia paganii | L, E |
| | | PALMA DE MANACA | Calyptronoma rivalis | L, T |
| RINCON | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | PLANTS | BOXWOOD, VAHL'S | Buxus vahlii | L, E |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| RIO GRANDE | BIRDS | BLACKBIRD, YELLOW-SHOULDERED | Agelaius xanthomus | L, E, CH |
| | | FALCON, AMERICAN PEREGRINE | Falco peregrinus anatum | L, E, CH |
| | | PARROT, PUERTO RICAN | Amazona vittata | L, E |
| | PLANTS | CAPA ROSA | Callicarpa ampla | L, E |
| | | CHUPACALLOS | Pleodendron macranthum | L, E |
| | | COBANA NEGRA | Stahlia monosperma | L, T |
| | | ILEX SINTENISII | Ilex sintenisii | L, E |
| | | LEPANTHES ELTORENSIS | Lepanthes eltorensis | L, E |
| | | ORTEGON | Coccolobra rugosa | P, T |
| | | PALO COLORADO (TERNSTROEMIA LUQUILLENSIS). | Ternstroemia luquillensis | L, E |
| | | PALO DE JAZMIN | Styrax portoricensis | L, E |
| | | PALO DE NIGUA | Cornutia obovata | L, E |
| | | UVILLO | Eugenia haematocarpa | L, E |
| | REPTILES | BOA, PUERTO RICAN | Epicrates inornatus | L, E |
| | | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| SABANA GRANDE | PLANTS | GESNERIA PAUCIFLORA | Gesneria pauciflora | L, T |
| | | HIGUERO DE SIERRA | Crecentia portoricensis | L, E |
| | | PALO DE ROSA | Ottoschulzia rhodoxylon | L, E |
| SALINAS | BIRDS | BLACKBIRD, YELLOW-SHOULDERED | Agelaius xanthomus | L, E, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PIGEON, PUERTO RICAN PLAIN | Columbia inornata wetmorei | L, E |
| | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| SAN GERMAN | BIRDS | BLACKBIRD, YELLOW-SHOULDERED | Agelaius xanthomus | L, E, CH |
| | PLANTS | CRANICHIS RICARTII | Cranichis ricartii | L, E |
| | | HIGUERO DE SIERRA | Crecentia portoricensis | L, E |
| | REPTILES | BOA, PUERTO RICAN | Epicrates inornatus | L, E |
| SAN JUAN | BIRDS | BLACKBIRD, YELLOW-SHOULDERED | Agelaius xanthomus | L, E, CH |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| SAN LORENZO | AMPHIBIANS | GUAJON (ELEUTHERODACTYLUS COOKI) | Eleutherodactylus cooki | P, T |
| SAN SEBASTIAN | PLANTS | FERN, THELYPTERIS VERECUNDA | Fern, thelypteris verecunda | L, E |
| | | PALMA DE MANACA | Calyptronoma rivalis | L, T |
| SANTA ISABEL | BIRDS | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| TOA BAJA | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | PLANTS | DAPHNOPSIS HELLERANA | Daphnopsis hellerana | L, E |
| | | ORTEGON | Coccolobra rugosa | P, T |
| | | PALO DE ROSA | Ottoschulzia rhodoxylon | L, E |
| | REPTILES | BOA, PUERTO RICAN | Epicrates inornatus | L, E |
| | | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| UTUADO | BIRDS | HAWK, PUERTO RICAN BROAD-WINGED | Buteo platypterus brunnescens | L, E |
| | | HAWK, PUERTO RICAN SHARP-SHINNED | Accipiter striatus venator | L, E |
| | | PIGEON, PUERTO RICAN PLAIN | Columbia inornata wetmorei | L, E |
| | PLANTS | PALMA DE MANACA | Calyptronoma rivalis | L, T |
| | | PALO DE NIGUA | Cornutia obovata | L, E |
| | REPTILES | BOA, PUERTO RICAN | Epicrates inornatus | L, E |
| VEGA ALTA | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | PLANTS | CASSIA MIRABILIS | Cassia mirabilis | L, E |
| | REPTILES | BOA, PUERTO RICAN | Epicrates inornatus | L, E |
| | | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| VEGA BAJA | PLANTS | CASSIA MIRABILIS | Cassia mirabilis | L, E |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| VIEQUES | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | PLANTS | CALYPTRANTHES THOMASIANA | Calyptranthes thomasiana | L, E |
| | | COBANA NEGRA | Stahlia monosperma | L, T |

## IV. COUNTY/SPECIES LIST—Continued

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| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | MYRCIA PAGANII | Myrcia paganii | L, E |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| YABUCOA | AMPHIBIANS | GUAJON (ELEUTHERODACTYLUS COOKI) | Eleutherodactylus cooki | P, T |
| | MAMMALS | MANATEE, WEST INDIAN (FLORIDA) | Trichechus manatus | L, E, CH |
| | PLANTS | ORTEGON | Coccolobra rugosa | P, T |
| | REPTILES | BOA, PUERTO RICAN | Epicrates inornatus | L, E |
| YAUCO | BIRDS | NIGHTJAR, PUERTO RICO | Caprimulgus noctitherus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | PLANTS | BARIACO | Trichilia triacantha | L, E |
| | | FERN, THELYPTERIS YAUCOENSIS | Fern, thelypteris yaucoensis | L, E |
| | | HIGUERO DE SIERRA | Crecentia portoricensis | L, E |
| | | PALO DE ROSA | Ottoschulzia rhodoxylon | L, E |
| | REPTILES | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| **RHODE ISLAND** | | | | |
| KENT | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| NEWPORT | BIRDS | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| PROVIDENCE | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | POGONIA, SMALL WHORLED | Isotria medeoloides | L, T |
| WASHINGTON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | FISHES | STURGEON, SHORTNOSE | Acipenser brevirostrum | L, E |
| | INSECTS | BEETLE, AMERICAN BURYING | Nicrophorus americanus | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | GERARDIA, SANDPLAIN | Agalinus acuta | L, E |
| **SOUTH DAKOTA** | | | | |
| AURORA | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| BEADLE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| BENNETT | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| BON HOMME | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| BROOKINGS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | INSECTS | BEETLE, AMERICAN BURYING | Nicrophorus americanus | L, E |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| BROWN | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| BRULE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| BUFFALO | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| BUTTE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| CAMPBELL | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| CHARLES MIX | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| CLARK | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |

## IV. COUNTY/SPECIES LIST—Continued

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| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| CLAY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| CODINGTON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| CORSON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| CUSTER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| DAVISON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| DAY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| DEUEL | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| DEWEY | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| DOUGLAS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| EDMUNDS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| FALL RIVER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| FAULK | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| GRANT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| GREGORY | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| HAAKON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | INSECTS | BEETLE, AMERICAN BURYING | Nicrophorus americanus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| HAMLIN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| HAND | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| HARDING | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| HUGHES | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| HUTCHINSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| HYDE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| JACKSON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| JERAULD | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| JONES | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| KINGSBURY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| LAWRENCE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| LINCOLN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| LYMAN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| MARSHALL | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| MC PHERSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| MEADE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| MELLETTE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| MINER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| MINNEHAHA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| MOODY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| PENNINGTON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| PERKINS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| POTTER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| ROBERTS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| SANBORN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| SPINK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| STANLEY | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| SULLY | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| TODD | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| TRIPP | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| TURNER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| UNION | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | INSECTS | BEETLE, AMERICAN BURYING | Nicrophorus americanus | L, E |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| WALWORTH | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| YANKTON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | FISHES | STURGEON, PALLID | Scaphirhynchus albus | L, E |
| | PLANTS | ORCHID, WESTERN PRAIRIE FRINGED | Platanthera praeclara | L, T |
| ZIEBACH | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| **TEXAS** | | | | |
| ANDERSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| ANGELINA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| ARANSAS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | CURLEW, ESKIMO | Numenius borealis | L, E |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | PRAIRIE-CHICKEN, ATTWATER'S GREATER. | Tympanuchus cupido attwateri | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| | | JAGUARUNDI | Felis yagouaroundi tolteca | L, E |
| | | OCELOT | Felis pardalis | L, E |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| | | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| ARCHER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| ATASCOSA | MAMMALS | OCELOT | Felis pardalis | L, E |
| AUSTIN | AMPHIBIANS | TOAD, HOUSTON | Bufo houstonensis | L, E, CH |
| | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PRAIRIE-CHICKEN, ATTWATER'S GREATER. | Tympanuchus cupido attwateri | L, E |
| BAILEY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| BANDERA | BIRDS | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | PLANTS | CACTUS, TOBUSCH FISHHOOK | Ancistrocactus tobuschii (=Echinocactus t, Mammila. | L, E |
| BASTROP | AMPHIBIANS | TOAD, HOUSTON | Bufo houstonensis | L, E, CH |
| | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| BAYLOR | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| BEE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| BELL | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| BEXAR | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| BLANCO | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| BOSQUE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| BOWIE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| BRAZORIA | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| BRAZOS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | PLANTS | LADIES'-TRESSES, NAVASOTA | Spiranthes parksii | L, E |
| BREWSTER | BIRDS | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | FLYCATCHER, SOUTHWESTERN WILLOW | Empiodonax traillii extimus | L, E |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | FISHES | GAMBUSIA, BIG BEND | Gambusia gaigei | L, E |
| | MAMMALS | BAT, MEXICAN LONG-NOSED | Leptonycteris nivalis | L, E |
| | PLANTS | CACTUS, BUNCHED CORY | Coryphantha ramillosa | L, T |
| | | CACTUS, CHISOS MOUNTAIN HEDGE-HOG. | Echinocereus reichenbachii var. chisoensis | L, T |
| | | CACTUS, LLOYD'S HEDGEHOG | Echinocereus lloydii | L, E |
| | | CACTUS, LLOYD'S MARIPOSA | Neolloydia mariposensis | L, T |
| | | CACTUS, NELLIE CORY | Coryphantha minima | L, E |
| | | CAT'S-EYE, TERLINGUA CREEK | Cryptantha crassipes | L, E |
| | | PITAYA, DAVIS' GREEN | Echinocereus viridiflorus var. davisii | L, E |
| BROOKS | BIRDS | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | PYGMY-OWL, CACTUS FERRUGINOUS | Glaucidiumbrasilianum cactorum | L, E |
| | MAMMALS | JAGUARUNDI | Felis yagouaroundi tolteca | L, E |
| | | OCELOT | Felis pardalis | L, E |
| BROWN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | BIRDS | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | REPTILES | SNAKE, CONCHO WATER | Nerodia harteri paucimaculata | L, T, CH |
| BURLESON | AMPHIBIANS | TOAD, HOUSTON | Bufo houstonensis | L, E, CH |
| | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| | PLANTS | LADIES'-TRESSES, NAVASOTA | Spiranthes parksii | L, E |
| BURNET | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| CALDWELL | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | FISHES | DARTER, FOUNTAIN | Etheostoma fonticola | L, E, CH |
| CALHOUN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| | | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| CAMERON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | PYGMY-OWL, CACTUS FERRUGINOUS | Glaucidiumbrasilianum cactorum | L, E |
| | FISHES | MINNOW, RIO GRANDE SILVERY | Hybognathus amarus | L, E |
| | MAMMALS | JAGUARUNDI | Felis yagouaroundi tolteca | L, E |
| | | OCELOT | Felis pardalis | L, E |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| | | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| CASS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| CHAMBERS | BIRDS | CURLEW, ESKIMO | Numenius borealis | L, E |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| | | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| CHEROKEE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| CHILDRESS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| CLAY | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| COKE | BIRDS | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | PLANTS | POPPY-MALLOW, TEXAS | Callirhoe scabriuscula | L, E |
| | REPTILES | SNAKE, CONCHO WATER | Nerodia harteri paucimaculata | L, T, CH |
| COLEMAN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | BIRDS | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | REPTILES | SNAKE, CONCHO WATER | Nerodia harteri paucimaculata | L, T, CH |
| COLLINGSWORTH | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| COLORADO | AMPHIBIANS | TOAD, HOUSTON | Bufo houstonensis | L, E, CH |
| | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PRAIRIE-CHICKEN, ATTWATER'S GREATER. | Tympanuchus cupido attwateri | L, E |
| COMAL | AMPHIBIANS | SALAMANDER, SAN MARCOS | Eurycea nana | L, T, CH |
| | BIRDS | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| | CRUSTACEAN | AMPHIPOD, PECK'S CAVE | Stygobromus pecki | P, E |
| | | AMPHIPOD, PECK'S CAVE | Stygobromus pecki | P, E |
| | FISHES | DARTER, FOUNTAIN | Etheostoma fonticola | L, E, CH |
| | INSECTS | BEETLE, COMAL SPRINGS DRYOPID | Stygoparnus comalensis | P, E |
| | | BEETLE, COMAL SPRINGS RIFFLE | Heterelmis comalensis | P, E |
| | REPTILES | TURTLE, CAGLE'S MAP | Graptemys caglei | L, T |
| COMANCHE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| CONCHO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | REPTILES | SNAKE, CONCHO WATER | Nerodia harteri paucimaculata | L, T, CH |
| COOKE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| CORYELL | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| CROCKETT | BIRDS | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| CULBERSON | BIRDS | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | CACTUS, LLOYD'S HEDGEHOG | Echinocereus lloydii | L, E |
| | | CACTUS, SNEED PINCUSHION | Coryphantha sneedii var. sneedii | L, E |
| DALLAS | BIRDS | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| DE WITT | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | REPTILES | TURTLE, CAGLE'S MAP | Graptemys caglei | L, T |
| DIMMIT | BIRDS | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | MAMMALS | OCELOT | Felis pardalis | L, E |
| DUVAL | MAMMALS | OCELOT | Felis pardalis | L, E |
| ECTOR | BIRDS | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| EDWARDS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| | PLANTS | CACTUS, TOBUSCH FISHHOOK | Ancistrocactus tobuschii (=Echinocactus t., Mammila. | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | SNOWBELLS, TEXAS | Styrax texana | L, E |
| EL PASO | BIRDS | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | PLANTS | CACTUS, SNEED PINCUSHION | Coryphantha sneedii var. sneedii | L, E |
| ELLIS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| ERATH | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| FALLS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| FANNIN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| FAYETTE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| FORT BEND | AMPHIBIANS | TOAD, HOUSTON | Bufo houstonensis | L, E, CH |
| | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | DAWN-FLOWER, TEXAS PRAIRIE (=TEXAS BITTERWEED. | Hymenoxys texana | L, E |
| | | FLOWER, TEXAS PRAIRIE DAWN | Hymenoxys texana | L, E |
| FREESTONE | AMPHIBIANS | TOAD, HOUSTON | Bufo houstonensis | L, E, CH |
| | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | PLANTS | LADIES'-TRESSES, NAVASOTA | Spiranthes parksii | L, E |
| | | SAND-VERBENA, LARGE-FRUITED | Abronia macrocarpa | L, E |
| FRIO | BIRDS | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| GALVESTON | BIRDS | CURLEW, ESKIMO | Numenius borealis | L, E |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | PRAIRIE-CHICKEN, ATTWATER'S GREATER. | Tympanuchus cupido attwateri | L, E |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| | | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| GILLESPIE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| GOLIAD | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PRAIRIE-CHICKEN, ATTWATER'S GREATER. | Tympanuchus cupido attwateri | L, E |
| GONZALES | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | REPTILES | TURTLE, CAGLE'S MAP | Graptemys caglei | L, T |
| GRAYSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| GREGG | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| GRIMES | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | PLANTS | LADIES'-TRESSES, NAVASOTA | Spiranthes parksii | L, E |
| GUADALUPE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | REPTILES | TURTLE, CAGLE'S MAP | Graptemys caglei | L, T |
| HALL | BIRDS | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| HAMILTON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| HARDEMAN | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| HARDIN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | PLANTS | PHLOX, TEXAS TRAILING | Phlox nivalis ssp. texensis | L, E |
| HARRIS | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | DAWN-FLOWER, TEXAS PRAIRIE (=TEXAS BITTERWEED. | Hymenoxys texana | L, E |
| | | FLOWER, TEXAS PRAIRIE DAWN | Hymenoxys texana | L, E |
| HARRISON | AMPHIBIANS | TOAD, HOUSTON | Bufo houstonensis | L, E, CH |
| | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| | PLANTS | DAWN-FLOWER, TEXAS PRAIRIE (=TEXAS BITTERWEED. | Hymenoxys texana | L, E |
| | | FLOWER, TEXAS PRAIRIE DAWN | Hymenoxys texana | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| HASKELL | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| HAYS | AMPHIBIANS | SALAMANDER, SAN MARCOS | Eurycea nana | L, T, CH |
| | | SALAMANDER, TEXAS BLIND | Typhlomolge rathbuni | L, E |
| | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| | CRUSTACEAN | AMPHIPOD, PECK'S CAVE | Stygobromus pecki | P, E |
| | | AMPHIPOD, PECK'S CAVE | Stygobromus pecki | P, E |
| | FISHES | DARTER, FOUNTAIN | Etheostoma fonticola | L, E, CH |
| | | GAMBUSIA, SAN MARCOS | Gambusia georgei | L, E, CH |
| | INSECTS | BEETLE, COMAL SPRINGS DRYOPID | Stygoparnus comalensis | P, E |
| | | BEETLE, COMAL SPRINGS RIFFLE | Heterelmis comalensis | P, E |
| | | BEETLE, COMAL SPRINGS RIFFLE | Heterelmis comalensis | P, E |
| | PLANTS | WILD-RICE, TEXAS | Zizania texana | L, E, CH |
| HEMPHILL | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| HENDERSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| HIDALGO | BIRDS | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PYGMY-OWL, CACTUS FERRUGINOUS | Glaucidiumbrasilianum cactorum | L, E |
| | MAMMALS | JAGUARUNDI | Felis yagouaroundi tolteca | L, E |
| | | OCELOT | Felis pardalis | L, E |
| | PLANTS | AYENIA, TEXAS | Ayenia limitaris | L, E |
| | | MANIOC, WALKER'S | Manihot walkerae | L, E |
| HILL | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| HOOD | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| HOUSTON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| HUDSPETH | BIRDS | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | CACTUS, LLOYD'S HEDGEHOG | Echinocereus lloydii | L, E |
| | | CACTUS, SNEED PINCUSHION | Coryphantha sneedii var. sneedii | L, E |
| HUNT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| HUTCHINSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| IRION | BIRDS | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | REPTILES | SNAKE, CONCHO WATER | Nerodia harteri paucimaculata | L, T, CH |
| JACKSON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| JASPER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | PLANTS | LADIES'-TRESSES, NAVASOTA | Spiranthes parksii | L, E |
| JEFF DAVIS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | GAMBUSIA, PECOS | Gambusia nobilis | L, E |
| | | PUPFISH, COMANCHE SPRINGS | Cyprinodon elegans | L, E |
| | PLANTS | PONDWEED, LITTLE AGUJA CREEK | Potamogeton clystocarpus | L, E |
| JEFFERSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| | | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| JIM HOGG | MAMMALS | OCELOT | Felis pardalis | L, E |
| JIM WELLS | MAMMALS | JAGUARUNDI | Felis yagouaroundi tolteca | L, E |
| | | OCELOT | Felis pardalis | L, E |
| | PLANTS | CACTUS, BLACK LACE | Echinocereus reichenbachii var. albertii | L, E |
| JOHNSON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| JONES | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| KARNES | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| KENDALL | REPTILES | TURTLE, CAGLE'S MAP | Graptemys caglei | L, T |
| KENEDY | BIRDS | CURLEW, ESKIMO | Numenius borealis | L, E |
| | | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |

## IV. COUNTY/SPECIES LIST—Continued

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| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | PYGMY-OWL, CACTUS FERRUGINOUS | Glaucidiumbrasilianum cactorum | L, E |
| | MAMMALS | JAGUARUNDI | Felis yagouaroundi tolteca | L, E |
| | | OCELOT | Felis pardalis | L, E |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| | | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| KERR | BIRDS | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| | PLANTS | CACTUS, TOBUSCH FISHHOOK | Ancistrocactus tobuschii =Echinocactus t, Mammila. | L, E |
| | REPTILES | TURTLE, CAGLE'S MAP | Graptemys caglei | L, T |
| KIMBLE | BIRDS | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| | PLANTS | CACTUS, TOBUSCH FISHHOOK | Ancistrocactus tobuschii =Echinocactus t, Mammila. | L, E |
| | | SNOWBELLS, TEXAS | Styrax texana | L, E |
| KING | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| KINNEY | BIRDS | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| | PLANTS | CACTUS, TOBUSCH FISHHOOK | Ancistrocactus tobuschii =Echinocactus t, Mammila. | L, E |
| KLEBERG | BIRDS | CURLEW, ESKIMO | Numenius borealis | L, E |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | MAMMALS | JAGUARUNDI | Felis yagouaroundi tolteca | L, E |
| | | OCELOT | Felis pardalis | L, E |
| | PLANTS | AMBROSIA, SOUTH TEXAS | Ambrosia cheiranthifolia | L, E |
| | | AYENIA, TEXAS | Ayenia limitaris | L, E |
| | | CACTUS, BLACK LACE | Echinocereus reichenbachii var. albertii | L, E |
| | | RUSH-PEA, SLENDER | Hoffmannseggia tenella | L, E |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| | | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| KNOX | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| LAMAR | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| LAMPASAS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| | REPTILES | SNAKE, CONCHO WATER | Nerodia harteri paucimaculata | L, T, CH |
| LAVACA | AMPHIBIANS | TOAD, HOUSTON | Bufo houstonensis | L, E, CH |
| | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| LEE | AMPHIBIANS | TOAD, HOUSTON | Bufo houstonensis | L, E, CH |
| | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| LEON | AMPHIBIANS | TOAD, HOUSTON | Bufo houstonensis | L, E, CH |
| | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| | PLANTS | LADIES'-TRESSES, NAVASOTA | Spiranthes parksii | L, E |
| | | SAND-VERBENA, LARGE-FRUITED | Abronia macrocarpa | L, E |
| LIBERTY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| LIMESTONE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| LIPSCOMB | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| LIVE OAK | MAMMALS | JAGUARUNDI | Felis yagouaroundi tolteca | L, E |
| | | OCELOT | Felis pardalis | L, E |
| | PLANTS | SPIDERLING, MATHIS | Boerhavia mathisiana | P, E |
| LLANO | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| LOVING | BIRDS | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| MADISON | PLANTS | LADIES'-TRESSES, NAVASOTA | Spiranthes parksii | L, E |
| MARION | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| MASON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| MATAGORDA | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| | | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| MAVERICK | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | MAMMALS | OCELOT | Felis pardalis | L, E |
| | REPTILES | SNAKE, CONCHO WATER | Nerodia harteri paucimaculata | L, T, CH |
| MC LENNAN | BIRDS | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| MC MULLEN | MAMMALS | OCELOT | Felis pardalis | L, E |
| MEDINA | BIRDS | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| MENARD | BIRDS | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| MENARD | FISHES | GAMBUSIA, CLEAR CREEK | Gambusia heterochir | L, E |
| MIDLAND | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| MILAM | AMPHIBIANS | TOAD, HOUSTON | Bufo houstonensis | L, E, CH |
| MILLS | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | REPTILES | SNAKE, CONCHO WATER | Nerodia harteri paucimaculata | L, T, CH |
| MITCHELL | PLANTS | POPPY-MALLOW, TEXAS | Callirhoe scabriuscula | L, E |
| MONTAGUE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| MONTGOMERY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| MOORE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| MORRIS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| NACOGDOCHES | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| NEWTON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| NUECES | BIRDS | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | MAMMALS | JAGUARUNDI | Felis yagouaroundi tolteca | L, E |
| | | OCELOT | Felis pardalis | L, E |
| | PLANTS | AMBROSIA, SOUTH TEXAS | Ambrosia cheiranthifolia | L, E |
| | | AYENIA, TEXAS | Ayenia limitaris | L, E |
| | | RUSH-PEA, SLENDER | Hoffmannseggia tenella | L, E |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| | | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| OCHILTREE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| ORANGE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| PALO PINTO | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| PANOLA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| PARKER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| PECOS | BIRDS | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | FISHES | GAMBUSIA, PECOS | Gambusia nobilis | L, E |
| | | PUPFISH, LEON SPRINGS | Cyprinodon bovinus | L, E, CH |
| | PLANTS | CACTUS, LLOYD'S HEDGEHOG | Echinocereus lloydii | L, E |
| POLK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | PLANTS | PHLOX, TEXAS TRAILING | Phlox nivalis ssp. Texensis | L, E |
| POTTER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| PRESIDIO | BIRDS | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | CACTUS, LLOYD'S HEDGEHOG | Echinocereus lloydii | L, E |
| | | CACTUS, LLOYD'S MARIPOSA | Neolloydia mariposensis | L, T |
| | | OAK, HINCKLEY | Quercus hinckleyi | L, T |
| RANDALL | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| REAL | BIRDS | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| | PLANTS | CACTUS, TOBUSCH FISHHOOK | Ancistrocactus tobuschii =Echinocactus t., Mammila. | L, E |
| | | SNOWBELLS, TEXAS | Styrax texana | L, E |
| RED RIVER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| REEVES | BIRDS | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | GAMBUSIA, PECOS | Gambusia nobilis | L, E |
| | | PUPFISH, COMANCHE SPRINGS | Cyprinodon elegans | L, E |
| REFUGIO | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | PRAIRIE-CHICKEN, ATTWATER'S GREATER. | Tympanuchus cupido attwateri | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| | PLANTS | CACTUS, BLACK LACE | Echinocereus reichenbachii var. albertii | L, E |
| ROBERTS | BIRDS | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| ROBERTSON | AMPHIBIANS | TOAD, HOUSTON | Bufo houstonensis | L, E, CH |
| | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| | PLANTS | LADIES'-TRESSES, NAVASOTA | Spiranthes parksii | L, E |
| | | SAND-VERBENA, LARGE-FRUITED | Abronia macrocarpa | L, E |
| RUNNELS | BIRDS | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | PLANTS | POPPY-MALLOW, TEXAS | Callirhoe scabriuscula | L, E |
| | REPTILES | SNAKE, CONCHO WATER | Nerodia harteri paucimaculata | L, T, CH |
| RUSK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| SABINE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| SAN AUGUSTINE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | PLANTS | BLADDERPOD, WHITE | Lesquerella pallida | L, E |
| SAN JACINTO | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| SAN PATRICIO | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | MAMMALS | JAGUARUNDI | Felis yagouaroundi tolteca | L, E |
| | | OCELOT | Felis pardalis | L, E |
| | PLANTS | SPIDERLING, MATHIS | Boerhavia mathisiana | P, E |
| SAN SABA | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| | REPTILES | SNAKE, CONCHO WATER | Nerodia harteri paucimaculata | L, T, CH |
| SHACKELFORD | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| SHELBY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| SOMERVELL | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| STARR | BIRDS | PYGMY-OWL, CACTUS FERRUGINOUS | Glaucidiumbrasilianum cactorum | L, E |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | MAMMALS | JAGUARUNDI | Felis yagouaroundi tolteca | L, E |
| | | OCELOT | Felis pardalis | L, E |
| | PLANTS | CACTUS, STAR | Astrophytum asterias (=echino-cactus asterias). | L, E |
| | | DOGWEED, ASHY | Dyssodia tephroleuca | L, E |
| | | FRANKENIA, JOHNSTON'S | Frankenia johnstonii | L, E |
| | | MANIOC, WALKER'S | Manihot walkerae | L, E |
| STEPHENS | BIRDS | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| | | CRANE, WHOOPING | Grus americana | L, E, CH |
| TARRANT | BIRDS | PLOVER, PIPING | Charadrius melodus | L, E, T |
| TAYLOR | BIRDS | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| TERRELL | BIRDS | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | PLANTS | CACTUS, BUNCHED CORY | Coryphantha ramillosa | L, T |
| THROCKMORTON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| TOM GREEN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | REPTILES | SNAKE, CONCHO WATER | Nerodia harteri paucimaculata | L, T, CH |
| TRAVIS | AMPHIBIANS | SALAMANDER, BARTON SPRINGS | Eurycea sosorum | L, E |
| | ARACHNIDS | HARVESTMAN, BEE CREEK CAVE | Texella reddelli | L, E |
| | | HARVESTMAN, BONE CAVE | Texella reyesi | L, E |
| | | PSEUDOSCORPION, TOOTH CAVE | Microcreagris texana | L, E |
| | | SPIDER, TOOTH CAVE | Leptoneta myopica | L, E |
| | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| | INSECTS | BEETLE, COFFIN CAVE MOLD | Bastrisodes texanus | L, E |
| | | BEETLE, KRETSCHMARR CAVE MOLD | Texamaurops reddelli | L, E |
| | | BEETLE, TOOTH CAVE GROUND | Rhadine persephone | L, E |
| TRINITY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| TYLER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | PLANTS | PHLOX, TEXAS TRAILING | Phlox nivalis ssp. Texensis | L, E |
| UPSHUR | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| UVALDE | BIRDS | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| | PLANTS | CACTUS, BLACK LACE | Echinocereus reichenbachii var. albertii | L, E |
| | | CACTUS, TOBUSCH FISHHOOK | Ancistrocactus tobuschii (=Echinocactus t., Mammila). | L, E |
| | | SNOWBELLS, TEXAS | Styrax texana | L, E |
| VAL VERDE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | PLANTS | CACTUS, TOBUSCH FISHHOOK | Ancistrocactus tobuschii (=Echinocactus t., Mammila). | L, E |
| | | SNOWBELLS, TEXAS | Styrax texana | L, E |
| VICTORIA | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| | REPTILES | TURTLE, CAGLE'S MAP | Graptemys caglei | L, T |
| WALKER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | WOODPECKER, RED-COCKADED | Picoides borealis | L, E |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| WARD | BIRDS | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| WASHINGTON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | PRAIRIE-CHICKEN, ATTWATER'S GREATER. | Tympanuchus cupido attwateri | L, E |
| | MAMMALS | BEAR, LOUISIANA BLACK | Ursus americanus luteolus | L, T |
| | PLANTS | LADIES'-TRESSES, NAVASOTA | Spiranthes parksii | L, E |
| WEBB | BIRDS | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | MAMMALS | OCELOT | Felis pardalis | L, E |
| | PLANTS | DOGWEED, ASHY | Dyssodia tephroleuca | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| WHARTON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| WHEELER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| WICHITA | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| WILBARGER | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| WILLACY | BIRDS | CURLEW, ESKIMO | Numenius borealis | L, E |
| | | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, PIPING | Charadrius melodus | L, E, T |
| | | PYGMY-OWL, CACTUS FERRUGINOUS | Glaucidiumbrasilianum cactorum | L, E |
| | MAMMALS | JAGUARUNDI | Felis yagouaroundi tolteca | L, E |
| | | OCELOT | Felis pardalis | L, E |
| | REPTILES | TURTLE, GREEN SEA | Chelonia mydas | L, E, T |
| | | TURTLE, HAWKSBILL SEA | Eretmochelys imbricata | L, E, CH |
| | | TURTLE, KEMP'S (ATLANTIC) RIDLEY SEA. | Lepidochelys kempii | L, E |
| | | TURTLE, LEATHERBACK SEA | Dermochelys coriacea | L, E, CH |
| | | TURTLE, LOGGERHEAD SEA | Caretta caretta | L, T |
| WILLIAMSON | ARACHNIDS | HARVESTMAN, BEE CREEK CAVE | Texella reddelli | L, E |
| | | HARVESTMAN, BONE CAVE | Texella reyesi | L, E |
| | | PSEUDOSCORPION, TOOTH CAVE | Microcreagris texana | L, E |
| | | SPIDER, TOOTH CAVE | Leptoneta myopica | L, E |
| | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| | | VIREO, BLACK-CAPPED | Vireo atricapillus | L, E |
| | | WARBLER (WOOD), GOLDEN-CHEEKED | Dendroica chrysoparia | L, E |
| | INSECTS | BEETLE, COFFIN CAVE MOLD | Bastrisodes texanus | L, E |
| | | BEETLE, KRETSCHMARR CAVE MOLD | Texamaurops reddelli | L, E |
| | | BEETLE, TOOTH CAVE GROUND | Rhadine persephone | L, E |
| WILSON | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| WINKLER | BIRDS | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| WISE | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| YOUNG | BIRDS | CRANE, WHOOPING | Grus americana | L, E, CH |
| ZAPATA | BIRDS | FALCON, NORTHERN APLOMADO | Falco femoralis septentrionalis | L, E |
| | | TERN, INTERIOR (POPULATION) LEAST | Sterna antillarum | L, E |
| | MAMMALS | JAGUARUNDI | Felis yagouaroundi tolteca | L, E |
| | | OCELOT | Felis pardalis | L, E |
| | PLANTS | DOGWEED, ASHY | Dyssodia tephroleuca | L, E |
| | | FRANKENIA, JOHNSTON'S | Frankenia johnstonii | L, E |
| **UTAH** | | | | |
| BEAVER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | PRAIRIE DOG, UTAH | Cynomys parvidens | L, T |
| BOX ELDER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | TROUT, LAHONTAN CUTTHROAT | Salmo clarki henshawi | L, T |
| CACHE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | PRIMROSE, MAGUIRE | Primula maguirei | L, T |
| CARBON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | CHUB, BONYTAIL | Gila elegans | L, E, CH |
| | | CHUB, HUMPBACK | Gila cypha | L, E, CH |
| | | SQUAWFISH, COLORADO | Ptychocheilus lucius | L, CH |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | PLANTS | CACTUS, UINTA BASIN HOOKLESS | Sclerocactus glaucus (=Echinocactus g., s. whipplei). | L, T |
| DAGGETT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | SQUAWFISH, COLORADO | Ptychocheilus lucius | L, E, CH |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | PLANTS | LADIES'-TRESSES, UTE | Spiranthes diluvialis | L, T |
| DAVIS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| DUCHESNE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | CACTUS, UINTA BASIN HOOKLESS | Sclerocactus glaucus (=Echinocactus g., s. whipplei). | L, T |
| | | CRESS, TOAD-FLAX | Glaucocarpum suffrutescens | L, E |
| | | CRESS, TOAD-FLAX | Glaucocarpum suffrutescens | L, E |
| | | LADIES'-TRESSES, UTE | Spiranthes diluvialis | L, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | REED-MUSTARD, SHRUBBY | Schoenocrambe suffrutescens | L, E |
| | | RIDGE-CRESS (=PEPPER-CRESS), BARNEBY. | Lepidium barnebyanum | L, E |
| EMERY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | CHUB, BONYTAIL | Gila elegans | L, E, CH |
| | | CHUB, HUMPBACK | Gila cypha | L, E, CH |
| | | SQUAWFISH, COLORADO | Ptychocheilus lucius | L, E, CH |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | CACTUS, SAN RAFAEL | Pediocactus despainii | L, E |
| | | CACTUS, WRIGHT FISHHOOK | Sclerocactus wrightiae (=Pediocactus w.) | L, E |
| | | CYCLADENIA, JONES | Cycladenia humilis var. jonesii | L, T |
| | | DAISY, MAGUIRE | Erigeron maguirei var. maguirei | L, T |
| | | REED-MUSTARD, BARNEBY | Schoenocrambe barnebyl | L, E |
| | | TOWNSENDIA, LAST CHANCE | Townsendia aprica | L, T |
| GARFIELD | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | CHUB, BONYTAIL | Gila elegans | L, E, CH |
| | | CHUB, HUMPBACK | Gila cypha | L, E, CH |
| | | SQUAWFISH, COLORADO | Ptychocheilus lucius | L, E, CH |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | | PRAIRIE DOG, UTAH | Cynomys parvidens | L, T |
| | PLANTS | BUTTERCUP, AUTUMN | Ranunculus acriformis var. aestivalis | L, E |
| | | CYCLADENIA, JONES | Cycladenia humilis var. jonesii | L, T |
| | | LADIES'-TRESSES, UTE | Spiranthes diluvialis | L, T |
| GRAND | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | CHUB, BONYTAIL | Gila elegans | L, E, CH |
| | | CHUB, HUMPBACK | Gila cypha | L, E, CH |
| | | SQUAWFISH, COLORADO | Ptychocheilus lucius | L, E, CH |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | CYCLADENIA, JONES | Cycladenia humilis var. jonesii | L, T |
| IRON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | MAMMALS | PRAIRIE DOG, UTAH | Cynomys parvidens | L, T |
| | REPTILES | TORTOISE, DESERT | Gopherus (=Xerobates, =Scaptochelys) agassizii. | L, T, CH |
| JUAB | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | FISHES | CHUB, LEAST | Lotichthys phlegethontis | P, E |
| KANE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | CHUB, BONYTAIL | Gila elegans | L, E, CH |
| | | SQUAWFISH, COLORADO | Ptychocheilus lucius | L, E, CH |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | PLANTS | BLADDERPOD, KODACHROME | Lesquerella tumulosa | L, E |
| | | BLADDERPOD, KODACHROME | Lesquerella tumulosa | L, E |
| | | CACTUS, SILER PINCUSHION | Pediocactus sileri | L, T |
| | | CYCLADENIA, JONES | Cycladenia humilis var. jonesii | L, T |
| | | MILKWEED, WELSH'S | Asclepias welshii | L, T, CH |
| | | PEPPER-GRASS, KODACHROME | Lepidium montanum var. stellae | P, E |
| | SNAILS | AMBERSNAIL, KANAB | Oxyloma haydeni kanabensis | L, E |
| MILLARD | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| MORGAN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| PIUTE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | PRAIRIE DOG, UTAH | Cynomys parvidens | L, T |
| RICH | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| SALT LAKE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | LADIES'-TRESSES, UTE | Spiranthes diluvialis | L, T |
| SAN JUAN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | CHUB, BONYTAIL | Gila elegans | L, E, CH |
| | | CHUB, HUMPBACK | Gila cypha | L, E, CH |
| | | SQUAWFISH, COLORADO | Ptychocheilus lucius | L, E, CH |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | CACTUS, SPINELESS HEDGEHOG | Echinocereus triglochidiatus var. inermis | L, E |
| | | SEDGE, NAVAJO | Carex specuicola | L, T, CH |
| | | WILD-BUCKWHEAT, SPREADING | Eriogonum humivagans | W, E |
| SANPETE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | PLANTS | MILK-VETCH, HELIOTROPE | Astragalus limnocharis var. montii | L, E, CH |
| SEVIER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | PRAIRIE DOG, UTAH | Cynomys parvidens | L, T |
| | PLANTS | CACTUS, WRIGHT FISHHOOK | Sclerocactus wrightiae (=Pediocactus w) | L, E |
| | | MILK-VETCH, HELIOTROPE | Astragalus limnocharis var. montii | L, E, CH |
| | | TOWNSENDIA, LAST CHANCE | Townsendia aprica | L, T |
| SUMMIT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| TOOELE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | LADIES'-TRESSES, UTE | Spiranthes diluvialis | L, T |
| UINTAH | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | CHUB, BONYTAIL | Gila elegans | L, E, CH |
| | | CHUB, HUMPBACK | Gila cypha | L, E, CH |
| | | SQUAWFISH, COLORADO | Ptychocheilus lucius | L, E, CH |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | PLANTS | CACTUS, UINTA BASIN HOOKLESS | Sclerocactus glaucus (=Echinocactus g, s whipplei). | L, T |
| | | CRESS, TOAD-FLAX | Glaucocarpum suffrutescens | L, E |
| | | CRESS, TOAD-FLAX | Glaucocarpum suffrutescens | L, E |
| | | LADIES'-TRESSES, UTE | Spiranthes diluvialis | L, T |
| | | REED-MUSTARD, CLAY | Schoenocrambe argillacea | L, E |
| | | REED-MUSTARD, SHRUBBY | Schoenocrambe suffrutescens | L, E |
| UTAH | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | SUCKER, JUNE | Chasmistes liorus | L, E, CH |
| | PLANTS | LADIES'-TRESSES, UTE | Spiranthes diluvialis | L, T |
| | | PHACELIA, CLAY | Phacelia argillacea | L, E |
| WASATCH | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| WASHINGTON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | CHUB, VIRGIN RIVER | Gila robusta seminuda | L, E |
| | | WOUNDFIN | Plagopterus argentissimus | L, E |
| | MAMMALS | PRAIRIE DOG, UTAH | Cynomys parvidens | L, T |
| | PLANTS | BEAR-POPPY, DWARF | Arctomecon humilis | L, E |
| | | CACTUS, PURPLE-SPINED HEDGEHOG | Echinocereus engelmannii var. Purpureus | L, E |
| | | CACTUS, SILER PINCUSHION | Pediocactus sileri | L, T |
| | REPTILES | TORTOISE, DESERT | Gopherus (=Xerobates, =Scaptochelys) agassizii. | L, T, CH |
| WAYNE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, MEXICAN SPOTTED | Strix occidentalis lucida | L, T, CH |
| | FISHES | CHUB, BONYTAIL | Gila elegans | L, E, CH |
| | | CHUB, HUMPBACK | Gila cypha | L, E, CH |
| | | SQUAWFISH, COLORADO | Ptychocheilus lucius | L, E, CH |
| | | SUCKER, RAZORBACK | Xyrauchen texanus | L, E, CH |
| | MAMMALS | PRAIRIE DOG, UTAH | Cynomys parvidens | L, T |
| | PLANTS | CACTUS, WRIGHT FISHHOOK | Sclerocactus wrightiae (=Pediocactus w) | L, E |
| | | DAISY, MAGUIRE | Erigeron maguirei var. maguirei | L, T |
| | | LADIES'-TRESSES, UTE | Spiranthes diluvialis | L, T |
| | | REED-MUSTARD, BARNEBY | Schoenocrambe barnebyl | L, E |
| | | TOWNSENDIA, LAST CHANCE | Townsendia aprica | L, T |
| WEBER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | LADIES'-TRESSES, UTE | Spiranthes diluvialis | L, T |
| **VERMONT** | | | | |
| ADDISON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| BENNINGTON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| CALEDONIA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| CHITTENDEN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| ESSEX | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| FRANKLIN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| GRAND ISLE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| LAMOILLE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| ORANGE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| ORLEANS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| RUTLAND | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| WASHINGTON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| WINDHAM | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | BULRUSH, NORTHEASTERN (=BARBED BRISTLE). | Scirpus ancistrochaetus | L, E |
| WINDSOR | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | CLAMS | MUSSEL, DWARF WEDGE | Alasmidonta heterodon | L, E |
| | MAMMALS | BAT, INDIANA | Myotis sodalis | L, E, CH |
| | PLANTS | MILK-VETCH, JESUP'S | Astragalus robbinsii var. jesupi | L, E |
| **WASHINGTON** | | | | |
| ADAMS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| ASOTIN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | SALMON, CHINOOK (SNAKE RIVER FALL RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, CHINOOK (SNAKE RIVER SPRING/SUMMER). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | | STEELHEAD, SNAKE RIVER BASIN POPULATION. | Oncorhynchus mykiss, (Snake River Basin ESU). | L, T |
| | | STEELHEAD, SNAKE RIVER BASIN POPULATION. | Oncorhynchus mykiss, (Snake River Basin ESU). | L, T |
| BENTON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | | STEELHEAD, UPPER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Upper Columbia ESU). | L, E |
| | | STEELHEAD, UPPER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Upper Columbia ESU). | L, E |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| CHELAN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | STEELHEAD, UPPER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Upper Columbia ESU). | L, E |
| | | STEELHEAD, UPPER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Upper Columbia ESU). | L, E |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| | | CHECKER-MALLOW, WENATCHEE MOUNTAINS. | Sidalcea oregona ssp. calva | P, E |
| | | CHECKER-MALLOW, WENATCHEE MOUNTAINS. | Sidalcea oregona ssp. calva | P, E |
| CLALLAM | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| CLARK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | BIRDS | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | FISHES | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | FISHES | STEELHEAD, LOWER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Lower Columbia ESU). | P, T |
| | FISHES | STEELHEAD, LOWER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Lower Columbia ESU). | P, T |
| | FISHES | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | WOLF, GRAY | Canis lupus | L, E, T, CH |
| | PLANTS | HOWELLIA, WATER | Howellia aquatilis | L, T |
| COLUMBIA | FISHES | SALMON, CHINOOK (SNAKE RIVER FALL RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, CHINOOK (SNAKE RIVER SPRING/SUMMER). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| COWLITZ | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | WOLF, GRAY | Canis lupus | L, E, T, CH |
| | PLANTS | CHECKER-MALLOW, NELSON'S | Sidalcea nelsoniana | L, T |
| DOUGLAS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | STEELHEAD, UPPER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Upper Columbia ESU). | L, E |
| | | STEELHEAD, UPPER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Upper Columbia ESU). | L, E |
| FERRY | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | STEELHEAD, UPPER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Upper Columbia ESU). | L, E |
| | | STEELHEAD, UPPER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Upper Columbia ESU). | L, E |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| FRANKLIN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | SALMON, CHINOOK (SNAKE RIVER FALL RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, CHINOOK (SNAKE RIVER SPRING/SUMMER). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| GARFIELD | FISHES | SALMON, CHINOOK (SNAKE RIVER FALL RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, CHINOOK (SNAKE RIVER SPRING/SUMMER). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| GRANT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | STEELHEAD, UPPER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Upper Columbia ESU). | L, E |
| | | STEELHEAD, UPPER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Upper Columbia ESU). | L, E |
| GRAYS HARBOR | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| ISLAND | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | PLANTS | PAINTBRUSH, GOLDEN | Castilleja levisecta | L, T |
| | | PAINTBRUSH, GOLDEN | Castilleja levisecta | L, T |
| | | PAINTBRUSH, GOLDEN | Castilleja levisecta | L, T |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| JEFFERSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| KING | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| KITSAP | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| KITTITAS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | STEELHEAD, UPPER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Upper Columbia ESU). | L, E |
| | | STEELHEAD, UPPER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Upper Columbia ESU). | L, E |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| KLICKITAT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | MAMMALS | WOLF, GRAY | Canis lupus | L, E, T, CH |
| LEWIS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | STEELHEAD, LOWER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Lower Columbia ESU). | P, T |
| | | STEELHEAD, LOWER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Lower Columbia ESU). | P, T |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| LINCOLN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | STEELHEAD, UPPER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Upper Columbia ESU). | L, E |
| | | STEELHEAD, UPPER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Upper Columbia ESU). | L, E |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| MASON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | PLANTS | HOWELLIA, WATER | Howellia aquatilis | L, T |
| NEZ PERCE | FISHES | STEELHEAD, SNAKE RIVER BASIN POPULATION. | Oncorhynchus mykiss, (Snake River Basin ESU). | L, T |
| | | STEELHEAD, SNAKE RIVER BASIN POPULATION. | Oncorhynchus mykiss, (Snake River Basin ESU). | L, T |
| OKANOGAN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | STEELHEAD, UPPER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Upper Columbia ESU). | L, E |
| | | STEELHEAD, UPPER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Upper Columbia ESU). | L, E |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| PACIFIC | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | GOOSE, ALEUTIAN CANADA | Branta canadensis leucopareia | L, T |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |

## IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | | PLOVER, WESTERN SNOWY | Charadrius alexandrinus nivosus | L, T |
| | FISHES | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | INSECTS | BUTTERFLY, OREGON SILVERSPOT | Speyeria zerene hippolyta | L, T, CH |
| | MAMMALS | DEER, COLUMBIAN WHITE-TAILED | Odocoileus virginianus leucurus | L, E |
| PEND OREILLE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | STEELHEAD, UPPER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Upper Columbia ESU). | L, E |
| | | STEELHEAD, UPPER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Upper Columbia ESU). | L, E |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | CARIBOU, WOODLAND | Rangifer tarandus caribou | L, E |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| PIERCE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| SAN JUAN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | PLANTS | PAINTBRUSH, GOLDEN | Castilleja levisecta | L, T |
| | | PAINTBRUSH, GOLDEN | Castilleja levisecta | L, T |
| | | PAINTBRUSH, GOLDEN | Castilleja levisecta | L, T |
| SKAGIT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| SKAMANIA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | | STEELHEAD, LOWER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Lower Columbia ESU). | P, T |
| | | STEELHEAD, LOWER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Lower Columbia ESU). | P, T |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | WOLF, GRAY | Canis lupus | L, E, T, CH |
| SNOHOMISH | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| SPOKANE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | PLANTS | HOWELLIA, WATER | Howellia aquatilis | L, T |
| STEVENS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | STEELHEAD, UPPER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Upper Columbia ESU). | L, E |
| | | STEELHEAD, UPPER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Upper Columbia ESU). | L, E |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| THURSTON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | PLANTS | HOWELLIA, WATER | Howellia aquatilis | L, T |
| | | PAINTBRUSH, GOLDEN | Castilleja levisecta | L, T |
| | | PAINTBRUSH, GOLDEN | Castilleja levisecta | L, T |
| | | PAINTBRUSH, GOLDEN | Castilleja levisecta | L, T |
| WAHKIAKUM | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |

## IV. COUNTY/SPECIES LIST—Continued

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| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | | PELICAN, BROWN | Pelicanus occidentalis | L, E |
| | MAMMALS | DEER, COLUMBIAN WHITE-TAILED | Odocoileus virginianus leucurus | L, E |
| WALLA WALLA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | SALMON, CHINOOK (SNAKE RIVER FALL RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, CHINOOK (SNAKE RIVER SPRING/SUMMER). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| WHATCOM | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | MURRELET, MARBLED | Brachyramphus marmoratus | L, T, CH |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| WHITMAN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | SALMON, CHINOOK (SNAKE RIVER FALL RUN). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, CHINOOK (SNAKE RIVER SPRING/SUMMER). | Oncorhynchus tshawytscha | L, E, CH |
| | | SALMON, SNAKE RIVER SOCKEYE | Oncorhynchus nerka | L, E, CH |
| YAKIMA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | | OWL, NORTHERN SPOTTED | Strix occidentalis caurina | L, T, CH |
| | FISHES | STEELHEAD, UPPER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Upper Columbia ESU). | L, E |
| | | STEELHEAD, UPPER COLUMBIA RIVER POPULATION. | Oncorhynchus mykiss, (Upper Columbia ESU). | L, E |
| | | TROUT, BULL (COLUMBIA RIVER POPULATION). | Salvelinus confluentus | P, T |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| **WAKE ISLAND** | | | | |
| **WYOMING** | | | | |
| ALBANY | AMPHIBIANS | TOAD, WYOMING | Bufo hemiophrys baxteri | L, E |
| | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| BIG HORN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| CAMPBELL | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| CARBON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| CONVERSE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| CROOK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| FREMONT | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| GOSHEN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| HOT SPRINGS | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| JOHNSON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |

IV. COUNTY/SPECIES LIST—Continued

[The following list identifies federally listed or proposed U.S. species by State and County. It has been updated through September 1, 1997. **Note:** Species listed below with a status of both E and T are generally either endangered or threatened within the specified county. The assignment of two status designations for a species in a specific county is a function of the data set used to develop this list. For purposes of this permit, however, the obligation to assess the impact of storm water discharges on listed species does not vary based on which of the two statuses (e.g., endangered threatened) is assigned (see Addendum A Instructions). Designation of critical habitat (CH) does not mean that the county constitutes critical habitat, only that critical habitat has been designated for that species (see Addendum A Instructions).]

| State/County | Group name | Inverse name | Scientific name | Action/ Status |
|---|---|---|---|---|
| LARAMIE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| LINCOLN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| NATRONA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| NIOBRARA | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| PARK | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| PLATTE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| SHERIDAN | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| SUBLETTE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | FISHES | DACE, KENDALL WARM SPRINGS | Rhinichthys osculus thermalis | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| SWEETWATER | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| TETON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | BEAR, GRIZZLY | Ursus arctos (=U.a. horribilis) | L, T |
| | | WOLF, GRAY | Canis lupus | L, E, T, CH |
| UINTA | BIRDS | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| WASHAKIE | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |
| WESTON | BIRDS | EAGLE, BALD | Haliaeetus leucocephalus | L, T |
| | | FALCON, PEREGRINE | Falco peregrinus | L, E |
| | MAMMALS | FERRET, BLACK-FOOTED | Mustela nigripes | L, E |

Key: L—Listed, P—Proposed, E—Endangered, T—Threatened, CH—Critical Habitat

## Addendum B—Historic Properties (Reserved)

Instructions related to historic preservation have not been included in the permit at this time. EPA may modify the permit to include such provisions at a later date. This does not relieve applicants or permittees of their responsibility to comply with applicable State, Tribal or local laws for the protection of historic properties.

## Addendum C—Existing Notice of Intent Form

From the effective date of this permit, applicants are to use the existing Notice of Intent form (EPA 3510–6 (8–98)) contained in this Addendum to obtain permit coverage until the revised NOI form is published as final in the **Federal Register** and replaces it. According to the provisions in Part II.B.1 of this permit, applicants are reminded that although they are completing information on the existing form related to the expired Baseline Construction General Permit, they are also certifying that they meet all eligibility requirements of Part I.B. of this permit and are informing the Director of their intent to be covered by, and comply with, those terms and conditions. These conditions include certifications that the applicant's storm water discharges and storm water-related discharge activities will not adversely affect listed endangered or threatened species, or their critical habitat. EPA may modify this permit to include provisions relating to historic preservation.

BILLING CODE 6560–50–P

**THIS FORM REPLACES PREVIOUS FORM 3510-6 (8-92)**
**See Reverse for Instructions**

Form Approved. OMB No. 2040-0086
Approval expires: 8-31-98

**NPDES FORM**

EPA

United States Environmental Protection Agency
Washington, DC 20460

## Notice of Intent (NOI) for Storm Water Discharges Associated with Industrial Activity Under a NPDES General Permit

Submission of this Notice of Intent constitutes notice that the party identified in Section II of this form intends to be authorized by a NPDES permit issued for storm water discharges associated with industrial activity in the State identified in Section III of this form. Becoming a permittee obligates such discharger to comply with the terms and conditions of the permit. ALL NECESSARY INFORMATION MUST BE PROVIDED ON THIS FORM.

I. Permit Selection: You **must** indicate the NPDES Storm Water general permit under which you are applying for coverage. Check one of these.

Baseline Industrial ☐ Baseline Construction ☐ Multi-Sector (Group Permit) ☐

II. Facility Operator Information

Name: Phone:

Address: Status of Owner/Operator: ☐

City: State: ZIP Code:

III. Facility/Site Location Information

Name: Is the facility located on Indian Lands? (Y or N) ☐

Address:

City: State: ZIP Code:

Latitude: Longitude: Quarter: Section: Township: Range:

IV. Site Activity Information

MS4 Operator Name:

Receiving Water Body:

If you are filing as a co-permittee, enter storm water general permit number:

SIC or Designated Activity Code: Primary: 2nd:

Is the facility required to submit monitoring data? (1, 2, 3, or 4) ☐

If You Have Another Existing NPDES Permit, Enter Permit Number:

Multi-Sector Permit Applicants Only:

Based on the instructions provided in Addendum H of the Multi-Sector permit, are species identified in Addendum H in proximity to the storm water discharges to be covered under this permit, or the areas of BMP construction to control those storm water discharges? (Y or N) ☐

Will construction (land disturbing activities) be conducted for storm water controls? (Y or N) ☐

Is applicant subject to and in compliance with a written historic preservation agreement? (Y or N) ☐

V. Additional Information Required for Construction Activities Only

Project Start Date: Completion Date: Estimated Area to be Disturbed (in Acres):

Is the Storm Water Pollution Prevention Plan in compliance with State and/or Local sediment and erosion plans? (Y or N) ☐

VI. Certification: The certification statement in Box 1 applies to all applicants.
The certification statement in Box 2 applies only to facilities applying for the Multi-Sector storm water general permit.

**BOX 1**

**ALL APPLICANTS:**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

**BOX 2**

**MULTI-SECTOR STORM WATER GENERAL PERMIT APPLICANTS ONLY:**

I certify under penalty of law that I have read and understand the Part I.B. eligibility requirements for coverage under the Multi-Sector storm water general permit, including those requirements relating to the protection of species identified in Addendum H.

To the best of my knowledge, the discharges covered under this permit, and construction of BMPs to control storm water run-off, are not likely to and will not likely adversely affect any species identified in Addendum H of the Multi-Sector storm water general permit or are otherwise eligible for coverage due to previous authorization under the Endangered Species Act.

To the best of my knowledge, I further certify that such discharges, and construction of BMPs to control storm water run-off, do not have an effect on properties listed or eligible for listing on the National Register of Historic Places under the National Historic Preservation Act, or are otherwise eligible for coverage due to a previous agreement under the National Historic Preservation Act.

I understand that continued coverage under the Multi-Sector general permit is contingent upon maintaining eligibility as provided for in Part I.B.

Print Name: Date:

Signature:

EPA Form 3510-6 (8-98)

**Instructions - EPA Form 3510-6**
**Notice Of Intent (NOI) For Storm Water Discharges Associated With Industrial Activity To Be Covered Under a NPDES General Permit**

**Who Must File A Notice Of Intent (NOI) Form**

Federal law at 40 CFR Part 122 prohibits point source discharges of storm water associated with industrial activity to a water body(ies) of the U.S. without a National Pollutant Discharge Elimination System (NPDES) permit. The operator of an industrial activity that has such a storm water discharge must submit a NOI to obtain coverage under a NPDES Storm Water General Permit. If you have questions about whether you need a permit under the NPDES Storm Water program, or if you need information as to whether a particular program is administered by EPA or a state agency, telephone or write to the Notice of Intent Processing Center at (703) 931-3230.

**Where To File NOI Form**

NOIs must be sent to the following address: Storm Water Notice of Intent (4203)
401 M Street, S.W.
Washington, DC 20460

**Completing The Form**

You must type or print, using upper-case letters, in the appropriate areas only. Please place each character between the marks. Abbreviate if necessary to stay within the number of characters allowed for each item. Use one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. If you have any questions on this form, call the Notice of Intent Processing Center at (703) 931-3230.

**Section I Permit Selection**

You **must** indicate the NPDES storm water general permit under which you are applying for coverage. Check one box only. The Baseline Industrial and Baseline Construction permits were issued in September 1992. The Multi-Sector Permit became effective October 1, 1995.

**Section II Facility Operator Information**

Provide the legal name of the person, firm, public organization, or any other entity that operates the facility or site described in this application. The name of the operator may or may not be the same as the name of the facility. The responsible party is the legal entity that controls the facility's operation, rather than the plant or site manager. Do not use a colloquial name. Enter the complete address and telephone number of the operator.

Enter the appropriate letter to indicate the legal status of the operator of the facility: F = Federal; S = State; M = Public (other than federal or state); P = Private.

**Section III Facility/Site Location Information**

Enter the facility's or site's official or legal name and complete street address, including city, state, and ZIP code. Do not provide a P.O. Box number as the street address. **If applying for a Baseline Permit and the facility or site lacks a street address,** indicate the state and either the latitude and longitude of the facility to the nearest 15 seconds or the quarter, section, township, and range (to the nearest quarter section) of the approximate center of the site. **If applying for the Multi-Sector Permit indicate the complete street address and either the latitude and longitude of the facility to the nearest 15 seconds or the quarter, section, township, and range (to the nearest quarter section) of the approximate center of the site.**

All applicants must indicate whether the facility is located on Indian lands.

**Section IV Site Activity Information**

If the storm water discharges to a municipal separate storm sewer system (MS4), enter the name of the operator of the MS4 (e.g., municipality name, county name) and the receiving water of the discharge from the MS4. (A MS4 is defined as a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by a state, city, town, borough, county, parish, district, association, or other public body which is designed or used for collecting or conveying storm water.)

If the facility discharges storm water directly to receiving water(s), enter the name of the receiving water(s).

If you are filing as a co-permittee and a storm water general permit number has been issued, enter that number in the space provided.

Indicate the monitoring status of the facility. Refer to the permit for information on monitoring requirements. Indicate the monitoring status by entering one of the following:

1 = Not subject to monitoring requirements under the conditions of the permit.
2 = Subject to monitoring requirements and required to submit data.
3 = Subject to monitoring requirements but not required to submit data.
4 = Subject to monitoring requirements but submitting certification for monitoring exclusion.

List, in descending order of significance, up to two 4-digit standard industrial classification (SIC) codes that best describe the principal products or services provided at the facility or site identified in Section III of this application. If you are applying for coverage under the construction general permit, enter "CO" (which represents SIC codes 1500 - 1799).

For industrial activities defined in 40 CFR 122.26(b)(14)(i)-(xi) that do not have SIC codes that accurately describe the principal products produced or services provided, use the following 2-character codes.

HZ = Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under subtitle C of RCRA [40 CFR 122.26 (b)(14)(iv)];
LF = Landfills, land application sites, and open dumps that receive or have received any industrial wastes, including those that are subject to regulation under subtitle D of RCRA [40 CFR 122.26 (b)(14)(v)];
SE = Steam electric power generating facilities, including coal handling sites [40 CFR 122.26 (b)(14)(vii)];
TW = Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage [40 CFR 122.26 (b)(14)(ix)]; or,
CO = Construction activities [40 CFR 122.26 (b)(14)(x)].

If there is another NPDES permit presently issued for the facility or site listed in Section III, enter the permit number. If an application for the facility has been submitted but no permit number has been assigned, enter the application number.

Facilities applying for coverage under the Multi-Sector storm water general permit must answer the last three questions in Section IV. Refer to Addendum H of the Multi-Sector general permit for a list of species that are either proposed or listed as threatened or endangered. "BMP" means "Best Management Practices" that are used to control storm water discharges.

Indicate whether any construction will be conducted to install or develop storm water runoff controls.

**Section V Additional Information Required for Construction Activities Only**

Construction activities must complete Section V in addition to Sections I through IV. Only construction activities need to complete Section V.

Enter the project start date and the estimated completion date for the entire development plan.

Provide an estimate of the total number of acres of the site on which soil will be disturbed (round to the nearest acre).

Indicate whether the storm water pollution prevention plan for the site is in compliance with approved state and/or local sediment and erosion plans, permits, or storm water management plans.

**Section VI Certification**

Federal statutes provide for severe penalties for submitting false information on this application form. Federal regulations require this application to be signed as follows:

*For a corporation:* by a responsible corporate officer, which means: (i) president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

*For a partnership or sole proprietorship:* by a general partner or the proprietor; or

*For a municipality, state, Federal, or other public facility:* by either a principal executive officer or ranking elected official.

**Paperwork Reduction Act Notice**

Public reporting burden for this application is estimated to average 0.5 hours per application, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate, any other aspect of the collection of information, or suggestions for improving this form, including any suggestions which may increase or reduce this burden to: Chief, Information Policy Branch, 2136, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, or Director, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

BILLING CODE 6560–50–C

**Addendum D—Notice of Termination Form**

From the effective date of this permit, permittees are to use the existing Notice of Termination form (EPA Form 3510–7) contained in this Addendum until they are instructed by the Director (EPA) to use a revised version. Permittees are to complete, sign and submit the form in accordance with Part VIII of the permit when terminating permit coverage at a construction project when one or more or the conditions contained in Part 1.D.2 have been met.

BILLING CODE 6560–50–P

**THIS FORM REPLACES PREVIOUS FORM 3510-7 (8-92)**
**Please See Instructions Before Completing This Form**

Form Approved. OMB No. 2040-0086
Approval expires: 8-31-98

NPDES FORM

EPA

United States Environmental Protection Agency
Washington, DC 20460

## Notice of Termination (NOT) of Coverage Under a NPDES General Permit for Storm Water Discharges Associated with Industrial Activity

Submission of this Notice of Termination constitutes notice that the party identified in Section II of this form is no longer authorized to discharge storm water associated with industrial activity under the NPDES program. ALL NECESSARY INFORMATION MUST BE PROVIDED ON THIS FORM.

### I. Permit Information

NPDES Storm Water General Permit Number: _____

Check Here if You are No Longer the Operator of the Facility: ☐

Check Here if the Storm Water Discharge is Being Terminated: ☐

### II. Facility Operator Information

Name: _____ Phone: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

### III. Facility/Site Location Information

Name: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

Latitude: _____ Longitude: _____ Quarter: _____ Section: _____ Township: _____ Range: _____

IV. Certification: I certify under penalty of law that all storm water discharges associated with industrial activity from the identified facility that are authorized by a NPDES general permit have been eliminated or that I am no longer the operator of the facility or construction site. I understand that by submitting this Notice of Termination, I am no longer authorized to discharge storm water associated with industrial activity under this general permit, and that discharging pollutants in storm water associated with industrial activity to waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by a NPDES permit. I also understand that the submittal of this Notice of Termination does not release an operator from liability for any violations of this permit or the Clean Water Act.

Print Name: _____ Date: _____

Signature: _____

### Instructions for Completing Notice of Termination (NOT) Form

**Who May File a Notice of Termination (NOT) Form**

Permittees who are presently covered under an EPA-issued National Pollutant Discharge Elimination System (NPDES) General Permit (including the 1995 Multi-Sector Permit) for Storm Water Dicharges Associated with Industrial Activity may submit a Notice of Termination (NOT) form when their facilities no longer have any storm water discharges associated with industrial activity as defined in the storm water regulations at 40 CFR 122.26(b)(14), or when they are no longer the operator of the facilities.

For construction activities, elimination of all storm water discharges associated with industrial activity occurs when disturbed soils at the construction site have been finally stabilized and temporary erosion and sediment control measures have been removed or will be removed at an appropriate time, or that all storm water discharges associated with industrial activity from the construction site that are authorized by a NPDES general permit have otherwise been eliminated. Final stabilization means that all soil-disturbing activities at the site have been completed, and that a uniform perennial vegetative cover with a density of 70% of the cover for unpaved areas and areas not covered by permanent structures has been established, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.

**Where to File NOT Form**

Send this form to the the following address:

Storm Water Notice of Termination (4203)
401 M Street, S.W.
Washington, DC 20460

**Completing the Form**

Type or print, using upper-case letters, in the appropriate areas only. Please place each character between the marks. Abbreviate if necessary to stay within the number of characters allowed for each item. Use only one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. If you have any questions about this form, telephone or write the Notice of Intent Processing Center at (703) 931-3230.

EPA Form 3510-7 (8-98)

**Instructions - EPA Form 3510-7**
**Notice of Termination (NOT) of Coverage Under The NPDES General Permit for Storm Water Discharges Associated With Industrial Activity**

**Section I Permit Information**

Enter the existing NPDES Storm Water General Permit number assigned to the facility or site identified in Section III. If you do not know the permit number, telephone or write your EPA Regional storm water contact person.

Indicate your reason for submitting this Notice of Termination by checking the appropriate box:

If there has been a change of operator and you are no longer the operator of the facility or site identified in Section III, check the corresponding box.

If all storm water discharges at the facility or site identified in Section III have been terminated, check the corresponding box.

**Section II Facility Operator Information**

Give the legal name of the person, firm, public organization, or any other entity that operates the facility or site described in this application. The name of the operator may or may not be the same name as the facility. The operator of the facility is the legal entity which controls the facility's operation, rather than the plant or site manager. Do not use a colloquial name. Enter the complete address and telephone number of the operator.

**Section III Facility/Site Location Information**

Enter the facility's or site's official or legal name and complete address, including city, state and ZIP code. If the facility lacks a street address, indicate the state, the latitude and longitude of the facility to the nearest 15 seconds, or the quarter, section, township, and range (to the nearest quarter section) of the approximate center of the site.

**Section IV Certification**

Federal statutes provide for severe penalties for submitting false information on this application form. Federal regulations require this application to be signed as follows:

*For a corporation:* by a responsible corporate officer, which means: (i) president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

*For a partnership or sole proprietorship:* by a general partner or the proprietor; or

*For a municipality, State, Federal, or other public facility:* by either a principal executive officer or ranking elected official.

**Paperwork Reduction Act Notice**

Public reporting burden for this application is estimated to average 0.5 hours per application, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate, any other aspect of the collection of information, or suggestions for improving this form, including any suggestions which may increase or reduce this burden to: Chief, Information Policy Branch, 2136, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, or Director, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

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