

Appendix B  
**Biological Resources and  
Agency Consultation**





U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Aviation Safety

800 Independence Ave., SW.

Washington, DC 20591

Ms. Grace Trankina  
Nebraska Ecological Services Field Office  
9325 South Alda Road  
Wood River, NE 68883

**SUBJECT:       Endangered Species Act Section 7 Consultation for Drone Commercial Package  
                  Delivery Operations in Nebraska  
                  Project Code: 2026-0064551**

In accordance with Section 7 of the Endangered Species Act (ESA), the Federal Aviation Administration (FAA) is requesting U.S. Fish and Wildlife Service (USFWS) concurrence that the FAA's action of authorizing Amazon Prime Air (Prime Air) to conduct commercial drone package delivery operations from a Prime Air Drone Delivery Center (PADDC) located in Nebraska (the Proposed Action), is **Not Likely to Adversely Affect**, tricolored bat (*Perimyotis subflavus*), and northern long-eared bat (*Myotis septentrionalis*). Additionally, the Proposed Action would have **No Effect** on the Piping Plover (*Charadrius melodus*), pallid sturgeon (*Scaphirhynchus albus*), western regal fritillary (*Argynnis idalia occidentalis*), Suckley's cuckoo bumble bee (*Bombus suckleyi*), monarch butterfly (*Danaus plexippus plexippus*), and western prairie fringed orchid (*Platanthera praeclara*). Our biological evaluation is provided below, including a brief background, project description, identification of the action area, and a discussion of potential effects to ESA-listed species.

### **Project Description**

Prime Air is seeking authorization to conduct commercial package deliveries using drones in one location in the Omaha Nebraska area. Prime Air intends to introduce its drone delivery capabilities in 2026 and has requested the FAA to authorize the operation of its MK30 drone, so it can provide drone package delivery services across its operating area. The proposed MK30 operating area and PADDC are depicted in **Attachment A**.

Prime Air anticipates flying up to 1,000 MK30 drone flights per operating day from one PADDC in the Omaha area, with each flight taking a package to a customer delivery address before returning to the PADDC. The number of flights per day would vary based on customer demand and weather conditions. Prime Air is taking an incremental approach to operations and expects to gradually ramp up to approximately 1,000 flights per day per PADDC as consumer demand increases over time. Drone flights could be conducted up to 365 days a year between 6:00 A.M. and 10:30 P.M., but, due to optical sensor requirements, operations would be limited to between civil morning and evening twilight.

## Unmanned Aircraft

As pictured in **Attachment B**, the MK30 drone is a hybrid multicopter fixed-wing tail-sitter drone with six propulsors allowing it to take off and land vertically and transition to wing borne flight. Its airframe is composed of staggered tandem wings for stable wing borne flight. The drone weighs approximately 78 pounds and has a maximum takeoff weight of approximately 83 pounds, which includes a maximum package payload of 5 pounds. It has a maximum operating range of 7.5 miles (or about 15 minutes) and can fly up to 58 knots (67 miles per hour) during wing-borne flight. It uses electric power from rechargeable lithium-ion batteries and is launched vertically using powered lift and converts to using wing lift during en route flight. The MK30 is equipped with collision avoidance technology to help avoid conflicts with other aircraft and drones; however, no effective technology exists that can be used to help avoid collisions with wildlife.

## Flight Operations

The MK30 drone would generally be operated at an altitude between 180 and 377 feet above ground level (AGL). The outbound en route altitude to a delivery location is expected to be flown between 180 and 279 feet AGL. The inbound en route altitude is expected to be flown between 279 and 377 feet back to the PADDCC. At a delivery location, the drone would descend vertically to a stationary hover and drop a package to the ground. Once a package has been delivered, the drone would ascend vertically to the inbound transition altitude and depart the delivery area while climbing to the en route altitude to return to the PADDCC. The PADDCC is a controlled area wherein drone flights are launched and recovered. The drone would fly a predefined flight path that is set prior to takeoff. Flight missions would be automatically planned by Prime Air's flight planning software, which assigns, deconflicts, and routes each flight. In accordance with FAA safety requirements, the drone would avoid operating over areas with dense human populations, such as over roadways, public gathering spots, etc.

As depicted in **Attachment C**, the MK30 drone's operational flight profile includes the following phases:

### *Takeoff*

Once a package is loaded onto the MK30 drone and the drone is cleared for departure from the PADDCC, the drone takes off from the ground vertically to an altitude of about 115 feet AGL and then transitions and climbs to its en route altitude of about 200 feet AGL (ranges from 180 and 279 feet AGL). The takeoff phase of flight would last less than one minute and result in maximum noise exposure levels (L<sub>max</sub>) of approximately 70 dB at a distance of 75 feet from the PADDCC. These noise levels are equivalent to the noise generated from a household vacuum cleaner at a distance of ten feet.

### *En Route Outbound*

The en route outbound phase is the part of flight in which the MK30 drone transits from the PADDCC to a delivery point on a predefined flight path. During this flight phase, the drone will typically operate at a typical en route altitude of 200 feet AGL with a typical airspeed of 58 knots (67 miles per hour). Noise levels generated from enroute outbound flight would be approximately 60 dB L<sub>max</sub> at a distance of 76 feet abeam the drone's flight path and are equivalent to the noise generated from normal speech at a distance of 3 feet.

### *Delivery*

The delivery phase consists of descent from the en route altitude to a delivery point to deliver a package. The MK30 drone transitions and descends to about 140 feet AGL and then vertically descends to about 13 feet AGL while maintaining position over the delivery point. The drone hovers while dropping the package and then proceeds to climb vertically back to the inbound transition altitude of

197 feet AGL. The MK30 then transitions and climbs to its en route inbound altitude of 345 feet AGL (ranges from 279 to 377 feet AGL). The delivery phase of flight would last approximately one minute and result in noise levels of approximately 69 dB Lmax at a distance of 75 feet from the delivery location. These noise levels are nearly identical to those generated during takeoff and would be equivalent to a household vacuum cleaner at a distance of ten feet.

#### *En Route Inbound*

The MK30 drone continues to fly at a typical altitude of about 345 feet AGL with at a speed of 67 mph towards the PADDC. Noise levels generated from enroute outbound flight would be nearly identical to those from enroute inbound flight with an Lmax of approximately 61 dB at a distance of 76 feet abeam the drone's flight path.

#### *Landing*

The drone decelerates as it approaches the PADDC and descends to the transition altitude of 197 feet AGL and where it transitions from horizontal flight to vertical flight, coming to a zero-speed position over its assigned landing pad. The MK30 drone slowly vertically descends over its assigned landing pad and lands on the pad. Noise levels generated from landing would be nearly identical to those generated from takeoff with an Lmax of approximately 70 dB at a distance of 75 feet from the PADCC.

#### Predicted Sound Levels

Based on a noise analysis using sound level measurement data for the MK30 drone, the estimated maximum sound exposure level (SEL) for the takeoff, delivery, and landing phases of flight is approximately 90.5 (at 20 feet), 92.1 (at 25 feet), and 91.8 dB (at 20 feet), respectively. Predicted sound levels decrease as distances from the drone increase. The maximum SEL for the en route phase is approximately 63.7 dB when the drone at an altitude of 200 feet AGL and flying at approximately 58 knots (67 miles per hour). The detailed noise analysis is provided as **Attachment D**.

#### **Action Area**

The action area is defined as all areas to be affected directly or indirectly by the federal action and not merely the immediate area involved in the action (50 CFR § 402.02). For this Proposed Action, the action area is defined as Prime Air's proposed MK30 operating area, as depicted in Attachment A. This area capture all possible flight routes to the delivery areas and where potential effects (e.g., visual, auditory, physical) to listed species could occur.

The operating area is located within the Western Corn Belt Plains Nebraska/Kansas Loess Hills USEPA Level IV Ecoregion. The Proposed Action within this ecoregion would take place largely over high to medium density developed urban and commercial areas in the northern half of the operating area and the majority of the southern portion of the operating area consisting of agricultural use. A small portion of the southern edge operating area occurs over the Platte River. Therefore, wildlife habitats within the operating area predominantly include parks, a few open spaces, waterways, and vacant lands. These areas provide habitat for many of the more common fauna in the region, including white tailed deer, coyotes, raccoons, wild turkeys, and black-tailed prairie dogs.

The Nebraska/Kansas Loess Hills includes lands from south of South Sioux City to Omaha, west of the Missouri River, and lands from Omaha, south of the Platte River to Leavenworth, Kansas, and east of the Platte River to east of Columbus, Nebraska. The entirety of the OMA2 PADDC operating area is located within this ecoregion. The greater relief and deep loess hills of the Nebraska/Kansas Loess Hills are markedly different from the flat alluvial valley of neighboring Missouri Alluvial Plain. Dissected hills with

deep, silty, well drained soils supported a potential natural vegetation of tallgrass prairie with scattered oak-hickory forests along stream valleys. Cropland agriculture is now common and ample precipitation in the growing season supports dryland agriculture, with only a few areas requiring irrigation.

### ESA-Listed Species and Critical Habitat in the Action Area

The FAA acquired the Official Species List (see **Attachment E**) from the USFWS Information for Planning and Conservation (IPaC) online system to identify ESA-listed, proposed, and candidate species within the action area (**Table 1**). The action area does not contain designated critical habitat for any species.

**Table 1. ESA-Listed Species and Species Proposed for Listing, Potentially Present in the Action Areas**

Species	Common Name	Species Name	Federal Status	Critical Habitat
Mammals	Tricolored bat	<i>Perimyotis subflavus</i>	Proposed Endangered	N
	Northern long-eared bat	<i>Myotis septentrionalis</i>	Endangered	N
Birds	Piping Plover	<i>Charadrius melodus</i>	Endangered	N
Fish	Pallid Sturgeon	<i>Scaphirhynchus albus</i>	Endangered	N
Insects	Western regal fritillary	<i>Argynnis idalia occidentalis</i>	Proposed Threatened	N
	Suckley's cuckoo bumble bee	<i>Bombus suckleyi</i>	Proposed Endangered	N
	Monarch butterfly	<i>Danaus plexippus</i>	Proposed Threatened	N
Plants	Western prairie fringed orchid	<i>Platanthera praeclara</i>	Threatened	N

SOURCE: USFWS IPaC, accessed March 2026.

### Potential Effects of the Proposed Action on ESA-Listed and Species Proposed for Listing

Drone noise, visual presence, and the potential for airborne strikes with flying species are the Proposed Action’s potential stressors or threats to ESA-listed species. Flight operations would take place mostly in an urban environment, within airspace, and typically remain well above the tree line while en route to and from the PADDCC. The duration of exposure by wildlife on the ground to visual or noise impacts from the drone would be of very short duration (approximately 30 seconds during takeoff/landing and delivery and a few seconds during the en route phase).

As noted above, the highest estimated SEL associated with Prime Air’s proposed operations is 92.1 dB, which would occur during a delivery. For reference, the sound level of a diesel truck at 50 feet or a noisy urban environment during the day is approximately 80 to 90 dB. The SEL on the ground when the drone is at an altitude of 200 feet AGL is estimated to be around 63.7 dB, which is comparable to the sound of an air conditioning unit at 100 feet (60 dB). The MK30 drone is expected to operate at altitudes higher than 200 feet AGL during en route flight; as such, the en route sound level is expected to be less than 63.7 dB.

A descriptor for noise effects on wildlife has not been universally adopted, but some research indicates SEL is the most useful predictor of responses. Characteristic of the bulk of research to date has been lack of systematic documentation of the source noise event. Many studies report “sound levels” without specifying the frequency spectrum or duration. A notable exception is a study sponsored by U.S. Air Force that identifies SEL as the best descriptor for response of domestic turkey poults to low-altitude aircraft overflights (Bradley et al. 1990). This study identified a threshold of response for disturbance of

domestic turkeys (“100 percent rate of crowding”) as SEL 100 dB. None of the predicted sound levels for the different flight phases exceed SEL 92.1 dB.

Since noise levels are not anticipated to impact wildlife, no ground disturbance is proposed, and there will be no impacts to streams or aquatic habitats; it is anticipated that there would be **no effect** on terrestrial or aquatic species including the fish or plant species listed in **Table 1**. The following paragraphs describe the anticipated effects of the Proposed Action on the remaining ESA-listed and proposed-listed species.

### **Mammals**

Federally listed bat species including the northern long-eared bat, and the tricolored bat, which is proposed for listing, may be located within the operating area. The Proposed Action would include drone operations up until 10:30 p.m., which is anticipated to overlap with the dusk emergence of bat activity; however, drone operations will not affect the dawn civil twilight hours. The MK30 drone is not equipped nor is it authorized to operate in periods of darkness (before Morning Civil Twilight or after Evening Civil Twilight). Although operations may occur during dusk emergence, the listed bat species typically forage in areas near water or along forested edges. Research suggests that drones have “minimal impact on bat behavior” and that bats do not appear to be disturbed by drones. Also, the risk of bat conflicts is only present for three to six months each year (when bats are not hibernating). Bats at roost or in flight could experience drone noise during the en route and delivery flight phases. Bats foraging at or near the tree line at the time a drone flies by would experience the greatest sound levels. Roosting bats or bats foraging near the ground at the time a drone flies by would experience lower sound levels. Given the estimated sound levels of the drone, the drone’s linear flight profile to and from the PADDC and delivery locations, the short period of time the drone would be in any particular location, and the low probability of encountering an individual bat in the operating area, drone noise is not expected to adversely affect bats. Any increase in ambient sound levels caused by the drone’s flight would only last a few seconds during the en route phase and approximately 49 seconds during delivery. Given the bat’s ability to avoid flying into objects, the brief amount of time the drone would be in a single location, and the low probability of encountering a bat during operations, the likelihood of a drone striking a bat is extremely low.

A DKey determined the Action would have no effect on the northern long-eared bat, and the tricolored bat. However, DKeys were not originally intended for use in drone delivery projects. Therefore, based on an abundance of caution effect determinations are being made outside of the DKey. Based on (1) operations occurring mostly in an urban environment, (2) the altitude at which the drone flies in the en route phase (180 to 377 feet AGL), (3) the expected low sound levels experienced by a bat, (4) the short duration of any increases in ambient sound levels, (5) the low probability of a listed bat species occurring in the operating area, and (6) the low likelihood of the drone striking a bat, the FAA has determined that the Proposed Action is **Not Likely to Adversely Affect** the northern long-eared bat and tricolored bat.

### **Piping Plover**

The Piping Plover has a moderate potential to occur within the operating area, particularly during the breeding season (mid-April–August). Occurrence is most likely along the Platte River in undeveloped or protected beaches or sandbar areas with minimal human disturbance. Due to the nature of the

Proposed Action, which will occur primarily in the airspace above developed urban and suburban environments with avoidance measures maintaining buffers from sensitive shoreline areas, the project determination for the species is **No Effect**.

### **Pallid sturgeon**

The project does not include any ground disturbance to natural areas and no modifications to wetlands or water bodies. Activities associated with the Proposed Action are anticipated to have **No Effect** on the pallid sturgeon.

### **Insects**

The western regal fritillary is a federally threatened grassland species that typically flies low over vegetation and is unlikely to be encountered during drone flights. The Proposed Action is not expected to affect the species' life cycle; therefore, it would have **No Effect** on the western regal fritillary.

Suckley's cuckoo bumble bee, a federally proposed endangered species, is known to occur in variety of habitats across North America. The species typically flies low over vegetation and is unlikely to be encountered during drone flights. The Proposed Action is not expected to affect its life cycle; therefore, it would have **No Effect** on Suckley's cuckoo bumble bee.

The monarch butterfly, a proposed threatened species, has the potential to occur in the operating areas. Information regarding drone impacts on insects is limited and there have been no widespread negative impacts identified in scientific literature. Some research shows that monarch butterflies are not commonly observed at higher AGL altitudes (generally between 1 and 300 feet) and would not be expected to frequently occur at the altitudes where Prime Air is proposing to operate. Because the project will not alter milkweed availability, floral resources, or habitat structure, and monarchs generally fly well below typical drone operating altitudes, it is not anticipated to affect the life cycle or habitat of the monarch butterfly. Therefore, it is anticipated that the Action will have **No Effect** on the monarch butterfly.

### **Western prairie fringed orchid**

Since the operations would continue to occur within airspace only, and there would be no construction or ground disturbance under the proposed action, it is anticipated that there would be **No Effect** on the federally threatened Western prairie fringed orchid identified within the USFWS IPaC official species list.

### **Conclusion**

Based on the analysis above, the FAA has determined the following:

- There is no critical habitat, or proposed critical habitat, for any listed species, located within the action areas.
- The action areas are mostly urbanized, with minimal suitable habitat for the ESA-listed species identified in them.
- Any increase in ambient sound levels would be short in duration.
- Drone dwell/hover time during takeoff and delivery would be less than one minute.

- Drones would generally operate at an altitude between 200 and 345 feet AGL.
- Drone activity would be highly concentrated over developed areas, where there is consumer demand for drone delivery service.
- Based on all of these factors, the probability of a drone/wildlife interaction would be low.

It is important to note that Prime Air has been performing similar drone delivery operations at its Tolleson, AZ facility, for more than two years. A recent assessment of drone maintenance and telemetry records indicates zero instances of drone/wildlife collisions over the course of more than 8,000 delivery operations.

Accordingly, the FAA has determined the Proposed Action is **Not Likely to Adversely Affect** the tricolored bat and northern long-eared bat. The FAA has also determined that the Proposed Action would have **No Effect** on the Piping Plover, pallid sturgeon, western regal fritillary, Suckley's cuckoo bumble bee, monarch butterfly, and western prairie fringed orchid.

Because the delivery of commercial goods by drones is an emerging technology and its potential effects on wildlife are still not well understood, Prime Air is proposing to implement an "Biological Monitoring Program" for this project, which would include:

- Record and analyze daily maintenance and telemetry records to document any potential drone/wildlife interactions,
- If applicable, report wildlife movement / activity in and around airport property that may be obtained from operations or wildlife management staff from nearby airports.
- If applicable, recover and analyze potential biological materials (e.g., snarge, feathers, etc.), generally in accordance with existing protocols used in cases of aircraft bird strikes at airports
- Report findings to the USFWS on an annual basis

The proposed Biological Monitoring Program would serve as a useful tool for Prime Air, the FAA, and USFWS to better understand the possible interactions between drones and wildlife.

The FAA appreciates your review of the proposed project and requests your concurrence with (1) our "may affect" determination as stated above and (2) implementation of the proposed Biological Monitoring Program within 30 days of receiving this letter. If you have any questions, please contact Christopher Hurst via email at [9-faa-drone-environmental@faa.gov](mailto:9-faa-drone-environmental@faa.gov).

Sincerely,

**Joseph K. Hemler Jr** Digitally signed by Joseph K.  
Hemler Jr  
Date: 2026.05.14 06:28:23 -04'00'

Joseph Hemler  
Manager, General Aviation and Commercial Branch (AFS-752)  
Emerging Technologies Division  
Office of Safety Standards, Flight Standards Service

Attachments:

- Attachment A – Proposed MK30 Operating Areas
- Attachment B – MK 30 Drone
- Attachment C – MK30 Drone Flight Profile
- Attachment D – Technical Noise Report
- Attachment E – Official Species List

## References

August, T. and T. Moore. 2008. Autonomous Drones Are a Viable Tool for Acoustic Bat Surveys. Available: <https://www.biorxiv.org/content/10.1101/673772v1.full.pdf>. Accessed April 2026.

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Gibo, David L. Altitudes attained by migrating monarch butterflies, *Danaus p. plexippus* (Lepidoptera: Danaidae), as reported by glider pilots. Available: [Altitudes attained by migrating monarch butterflies, Danaus p. plexi](https://cdnsiencepub.com/doi/10.1139/z81-084ppus)  
<https://cdnsiencepub.com/doi/10.1139/z81-084ppus> (Lepidoptera: Danaidae), as reported by glider pilots. Accessed February 2026.

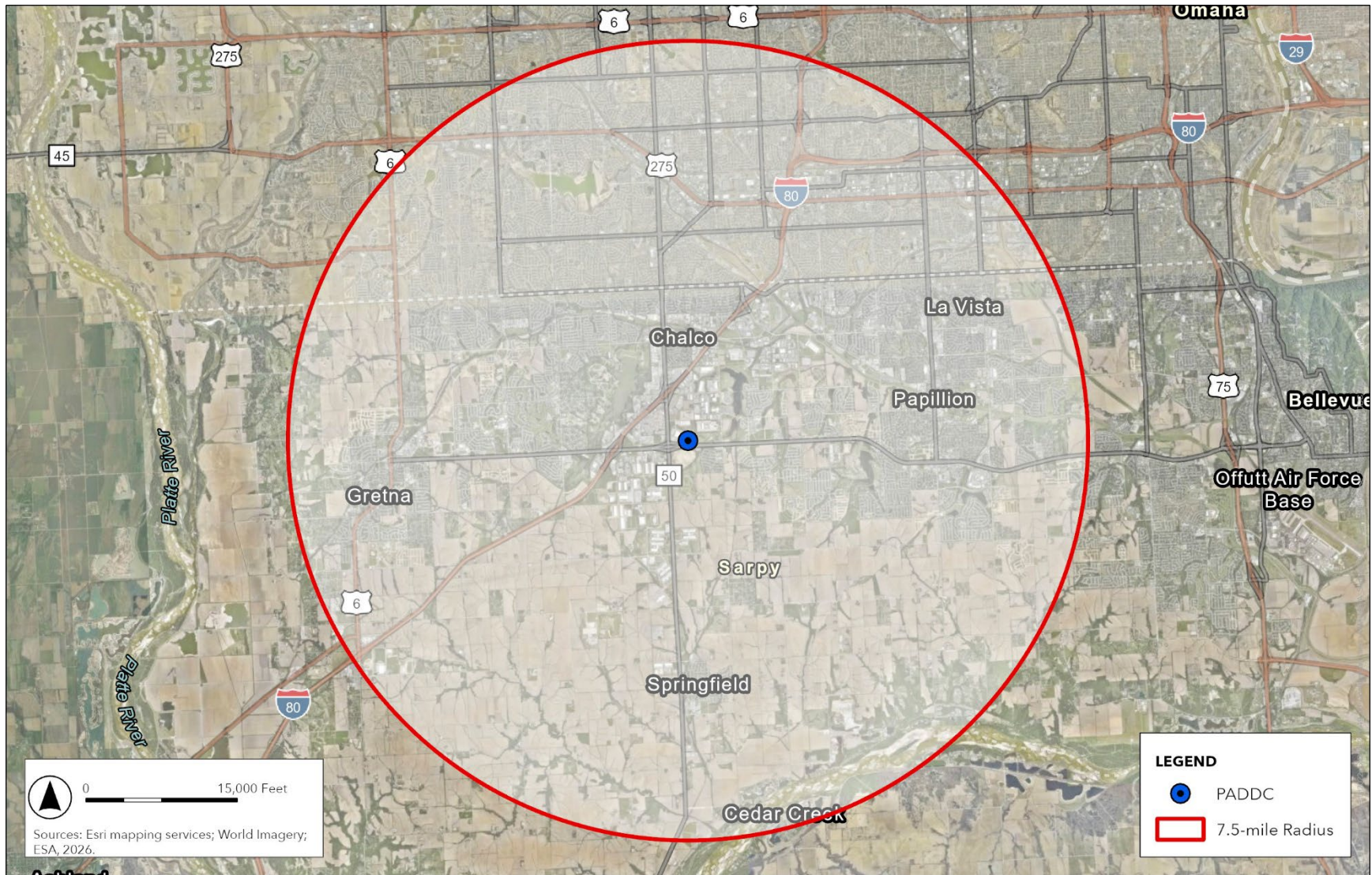
U.S. Department of Agriculture, Natural Resources Conservation Service. *Land Resource Regions and Major Land Resource Areas of the United States, the Caribbean, and the Pacific Basin* (USDA Handbook 296, 2006).

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**Attachment A**  
**Proposed MK30 Drone Operating Area**



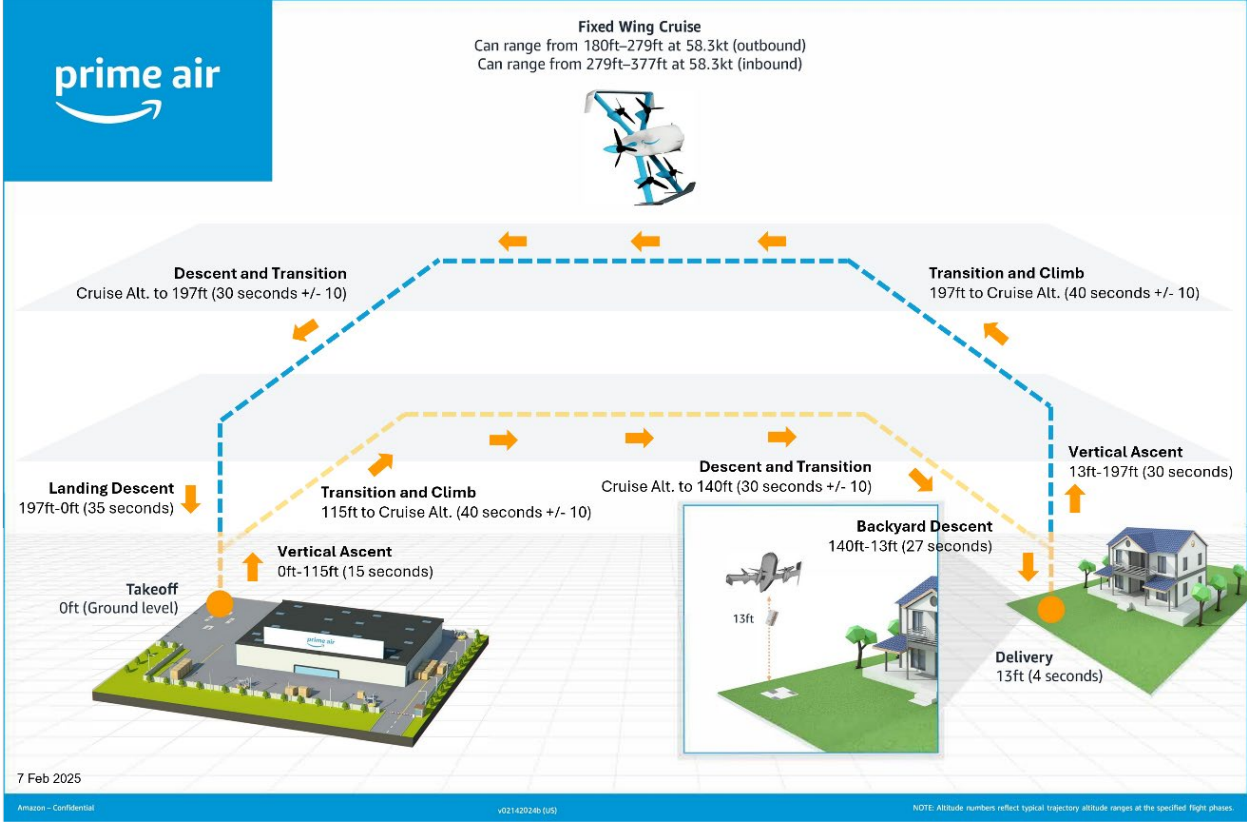
**OMA2 PADDC Action Area**

**Attachment B**  
**MK30 Drone**



**Amazon Prime Air MK30 Drone**

**Attachment C**  
**MK30 Drone Flight Profile**



**MK30 Drone Flight Profile**

**Attachment D**  
**Technical Noise Report**

The Technical Noise Report included in the original agency consultation has been omitted from this appendix, but can be found in Appendix E.

**Attachment E**  
**Official Species List**



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Nebraska Ecological Services Field Office  
9325 B South Alda Rd., Ste B  
Wood River, NE 68883-9565  
Phone: (308) 382-6468 Fax: (308) 384-8835  
<https://fws.gov/office/nebraska-ecological-services>

In Reply Refer To:

03/18/2026 21:00:40 UTC

Project Code: 2026-0064551

Project Name: Amazon Drone Delivery - Omaha OMA2

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the [IPaC website](#) at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may

affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the [Endangered Species Consultation Handbook](#) or at our [Nebraska Ecological Services Field Office - Project Review and Planning webpage](#). **For recommendations to minimize the effects of project actions on federally listed species or designated critical habitat, please view the [Nebraska Ecological Service's Field Office Conservation Measures Technical Assistance Guide](#).**

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Project Consultation Code in the header of this letter (i.e., YEAR-XXXXXXX) with any request for consultation or correspondence about your project that you submit to our office.

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Act, there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts and permitting see <https://www.fws.gov/program/migratory-bird-permit>

It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on threats to birds and recommended conservation measures visit <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit:

<https://www.federalregister.gov/documents/2012/10/03/2012-24433/migratory-bird-conservation-executive-order-13186>

**Platte River System:** The Platte River, its tributaries, and associated wetland habitats are resources of national importance. Due to the cumulative effect of many water depletion projects

in the Platte River basin, the Service considers any direct or indirect depletion of flows from the Platte River system to be significant and will continue to further deteriorate the already stressed habitat conditions. Federal agencies must consult with the Service under section 7 of the ESA for projects in Nebraska that may lead to water depletions or have the potential to impact water quality in the Platte River system, because these actions may affect threatened and endangered species inhabiting the downstream reaches of these river systems. The federally listed species that could be impacted from Platte River water depletions include the federally endangered Whooping Crane (*Grus americana*), and Pallid Sturgeon (*Scaphirhynchus albus*); the threatened Piping Plover (*Charadrius melodus*) and Western Prairie Fringed Orchid (*Platanthera praeclara*). In general, depletions include evaporative losses and/or consumptive use of surface or groundwater within the affected basin, often characterized as diversions minus return flows. Project elements that could be associated with depletions include, but are not limited to: borrow sites, ponds, lakes, and reservoirs (e.g., for detention, recreating, irrigation, storage, stock watering, municipal storage, and power generation); hydrostatic testing of pipelines; wells; dust abatement; diversion structures; and water treatment facilities. For more information on consultation requirements for the Platte River species, please visit <https://fws.gov/partner/platte-river-recovery-implementation-program>.

**Nebraska Nongame and Endangered Species Conservation Act:** Federally listed species protected under the Endangered Species Act are also state-listed under the Nebraska statute, the Nebraska Nongame and Endangered Species Conservation Act. There may be state-listed species affected by the proposed project that are not federally listed. To determine if the proposed project may affect state-listed species, the Service recommends that the project proponent contact the Nebraska Game and Parks Commission (NGPC) Planning and Program Division located at 2200 North 33<sup>rd</sup> Street Lincoln, Nebraska 68503-0370. For more information and to request an environmental review from the NGPC, visit their Environmental Review website at <http://outdoornebraska.gov/environmentalreview/> for instructions and contact information.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

## OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Nebraska Ecological Services Field Office**

9325 B South Alda Rd., Ste B

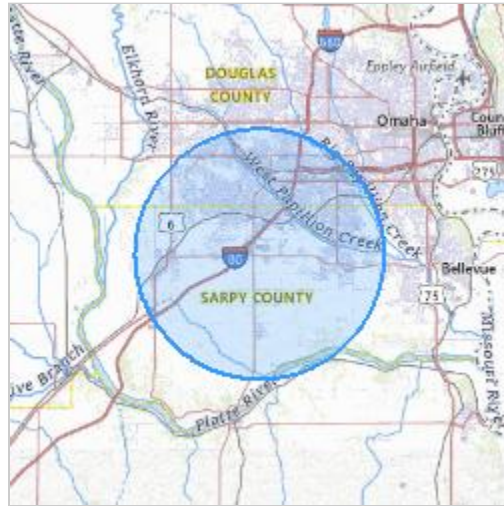
Wood River, NE 68883-9565

(308) 382-6468

## PROJECT SUMMARY

Project Code: 2026-0064551  
Project Name: Amazon Drone Delivery - Omaha OMA2  
Project Type: Drones - Use/Operation of Unmanned Aerial Systems  
Project Description: Drone delivery  
Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.14873085,-96.13182903061991,14z>



Counties: Cass , Douglas , and Sarpy counties, Nebraska

## ENDANGERED SPECIES ACT SPECIES

There is a total of 8 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a> General project design guidelines: <a href="https://ipac.ecosphere.fws.gov/project/LQUTAWF2GVCRZKNFPMVBKWDROI/documents/generated/9357.pdf">https://ipac.ecosphere.fws.gov/project/LQUTAWF2GVCRZKNFPMVBKWDROI/documents/generated/9357.pdf</a>	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/10515">https://ecos.fws.gov/ecp/species/10515</a> General project design guidelines: <a href="https://ipac.ecosphere.fws.gov/project/LQUTAWF2GVCRZKNFPMVBKWDROI/documents/generated/9357.pdf">https://ipac.ecosphere.fws.gov/project/LQUTAWF2GVCRZKNFPMVBKWDROI/documents/generated/9357.pdf</a>	Proposed Endangered

## BIRDS

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/6039">https://ecos.fws.gov/ecp/species/6039</a>	Threatened

## FISHES

NAME	STATUS
Pallid Sturgeon <i>Scaphirhynchus albus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/7162">https://ecos.fws.gov/ecp/species/7162</a> General project design guidelines: <a href="https://ipac.ecosphere.fws.gov/project/LQUTAWF2GVCRZKNFPMVBKWDROI/documents/generated/8697,9357.pdf">https://ipac.ecosphere.fws.gov/project/LQUTAWF2GVCRZKNFPMVBKWDROI/documents/generated/8697,9357.pdf</a>	Endangered

## INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> There is <b>proposed</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a> General project design guidelines: <a href="https://ipac.ecosphere.fws.gov/project/LQUTAWF2GVCRZKNFPMVBKWDROI/documents/generated/8697,9357.pdf">https://ipac.ecosphere.fws.gov/project/LQUTAWF2GVCRZKNFPMVBKWDROI/documents/generated/8697,9357.pdf</a>	Proposed Threatened
Suckley's Cuckoo Bumble Bee <i>Bombus suckleyi</i> Population:	Proposed Endangered

NAME	STATUS
<p>No critical habitat has been designated for this species.            Species profile: <a href="https://ecos.fws.gov/ecp/species/10885">https://ecos.fws.gov/ecp/species/10885</a>            General project design guidelines:  <a href="https://ipac.ecosphere.fws.gov/project/LQUTAWF2GVCZRZKNFPMVBKWDROI/documents/generated/9357.pdf">https://ipac.ecosphere.fws.gov/project/LQUTAWF2GVCZRZKNFPMVBKWDROI/documents/generated/9357.pdf</a></p>	
<p>Western Regal Fritillary <i>Argynnis idalia occidentalis</i>            No critical habitat has been designated for this species.            Species profile: <a href="https://ecos.fws.gov/ecp/species/12017">https://ecos.fws.gov/ecp/species/12017</a></p>	Proposed Threatened

## FLOWERING PLANTS

NAME	STATUS
<p>Western Prairie Fringed Orchid <i>Platanthera praeclara</i>            No critical habitat has been designated for this species.            Species profile: <a href="https://ecos.fws.gov/ecp/species/1669">https://ecos.fws.gov/ecp/species/1669</a>            General project design guidelines:  <a href="https://ipac.ecosphere.fws.gov/project/LQUTAWF2GVCZRZKNFPMVBKWDROI/documents/generated/8697,9357.pdf">https://ipac.ecosphere.fws.gov/project/LQUTAWF2GVCZRZKNFPMVBKWDROI/documents/generated/8697,9357.pdf</a></p>	Threatened

## CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

## USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

## BALD & GOLDEN EAGLES

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act <sup>2</sup> and the Migratory Bird Treaty Act (MBTA) <sup>1</sup>. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate avoidance and minimization measures, as described in the various links on this page.

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1. The [Bald and Golden Eagle Protection Act](#) of 1940.

2. The [Migratory Birds Treaty Act](#) of 1918.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are Bald Eagles and/or Golden Eagles in your [project](#) area.

### Measures for Proactively Minimizing Eagle Impacts

For information on how to best avoid and minimize disturbance to nesting bald eagles, please review the [National Bald Eagle Management Guidelines](#). You may employ the timing and activity-specific distance recommendations in this document when designing your project/activity to avoid and minimize eagle impacts. For bald eagle information specific to Alaska, please refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#).

The FWS does not currently have guidelines for avoiding and minimizing disturbance to nesting Golden Eagles. For site-specific recommendations regarding nesting Golden Eagles, please consult with the appropriate Regional [Migratory Bird Office](#) or [Ecological Services Field Office](#).

If disturbance or take of eagles cannot be avoided, an [incidental take permit](#) may be available to authorize any take that results from, but is not the purpose of, an otherwise lawful activity. For assistance making this determination for Bald Eagles, visit the [Do I Need A Permit Tool](#). For assistance making this determination for golden eagles, please consult with the appropriate Regional [Migratory Bird Office](#) or [Ecological Services Field Office](#).

### Ensure Your Eagle List is Accurate and Complete

If your project area is in a poorly surveyed area in IPaC, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the [Supplemental Information on Migratory Birds and Eagles](#), to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to bald or golden eagles on your list, see the "Probability of Presence Summary" below to see when these bald or golden eagles are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. <a href="https://ecos.fws.gov/ecp/species/1626">https://ecos.fws.gov/ecp/species/1626</a>	Breeds Oct 15 to Aug 31

## PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper



1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the "Probability of Presence Summary" below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
American Golden-plover <i>Pluvialis dominica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/10561">https://ecos.fws.gov/ecp/species/10561</a>	Breeds elsewhere
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. <a href="https://ecos.fws.gov/ecp/species/1626">https://ecos.fws.gov/ecp/species/1626</a>	Breeds Oct 15 to Aug 31
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9399">https://ecos.fws.gov/ecp/species/9399</a>	Breeds May 15 to Oct 10
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9454">https://ecos.fws.gov/ecp/species/9454</a>	Breeds May 20 to Jul 31
Cerulean Warbler <i>Setophaga cerulea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/2974">https://ecos.fws.gov/ecp/species/2974</a>	Breeds Apr 21 to Jul 20
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9406">https://ecos.fws.gov/ecp/species/9406</a>	Breeds Mar 15 to Aug 25
Eastern Whip-poor-will <i>Antrostomus vociferus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/10678">https://ecos.fws.gov/ecp/species/10678</a>	Breeds May 1 to Aug 20
Grasshopper Sparrow <i>Ammodramus savannarum perpallidus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/8329">https://ecos.fws.gov/ecp/species/8329</a>	Breeds Jun 1 to Aug 20

NAME	BREEDING SEASON
<p>Hudsonian Godwit <i>Limosa haemastica</i>  This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.  <a href="https://ecos.fws.gov/ecp/species/9482">https://ecos.fws.gov/ecp/species/9482</a></p>	Breeds elsewhere
<p>Kentucky Warbler <i>Geothlypis formosa</i>  This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.  <a href="https://ecos.fws.gov/ecp/species/9443">https://ecos.fws.gov/ecp/species/9443</a></p>	Breeds Apr 20 to Aug 20
<p>Lesser Yellowlegs <i>Tringa flavipes</i>  This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.  <a href="https://ecos.fws.gov/ecp/species/9679">https://ecos.fws.gov/ecp/species/9679</a></p>	Breeds elsewhere
<p>Pectoral Sandpiper <i>Calidris melanotos</i>  This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.  <a href="https://ecos.fws.gov/ecp/species/9561">https://ecos.fws.gov/ecp/species/9561</a></p>	Breeds elsewhere
<p>Prairie Loggerhead Shrike <i>Lanius ludovicianus excubitorides</i>  This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA  <a href="https://ecos.fws.gov/ecp/species/8833">https://ecos.fws.gov/ecp/species/8833</a></p>	Breeds Feb 1 to Jul 31
<p>Prothonotary Warbler <i>Protonotaria citrea</i>  This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.  <a href="https://ecos.fws.gov/ecp/species/9439">https://ecos.fws.gov/ecp/species/9439</a></p>	Breeds Apr 1 to Jul 31
<p>Red-headed Woodpecker <i>Melanerpes erythrocephalus</i>  This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.  <a href="https://ecos.fws.gov/ecp/species/9398">https://ecos.fws.gov/ecp/species/9398</a></p>	Breeds May 10 to Sep 10
<p>Ruddy Turnstone <i>Arenaria interpres morinella</i>  This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA  <a href="https://ecos.fws.gov/ecp/species/10633">https://ecos.fws.gov/ecp/species/10633</a></p>	Breeds elsewhere
<p>Rusty Blackbird <i>Euphagus carolinus</i>  This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA  <a href="https://ecos.fws.gov/ecp/species/9478">https://ecos.fws.gov/ecp/species/9478</a></p>	Breeds elsewhere
<p>Semipalmated Sandpiper <i>Calidris pusilla</i>  This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA  <a href="https://ecos.fws.gov/ecp/species/9603">https://ecos.fws.gov/ecp/species/9603</a></p>	Breeds elsewhere

NAME	BREEDING SEASON
Short-billed Dowitcher <i>Limnodromus griseus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9480">https://ecos.fws.gov/ecp/species/9480</a>	Breeds elsewhere
Upland Sandpiper <i>Bartramia longicauda</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/9294">https://ecos.fws.gov/ecp/species/9294</a>	Breeds May 1 to Aug 31
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9431">https://ecos.fws.gov/ecp/species/9431</a>	Breeds May 10 to Aug 31

## PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

### Breeding Season (■)

Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

### Survey Effort (|)

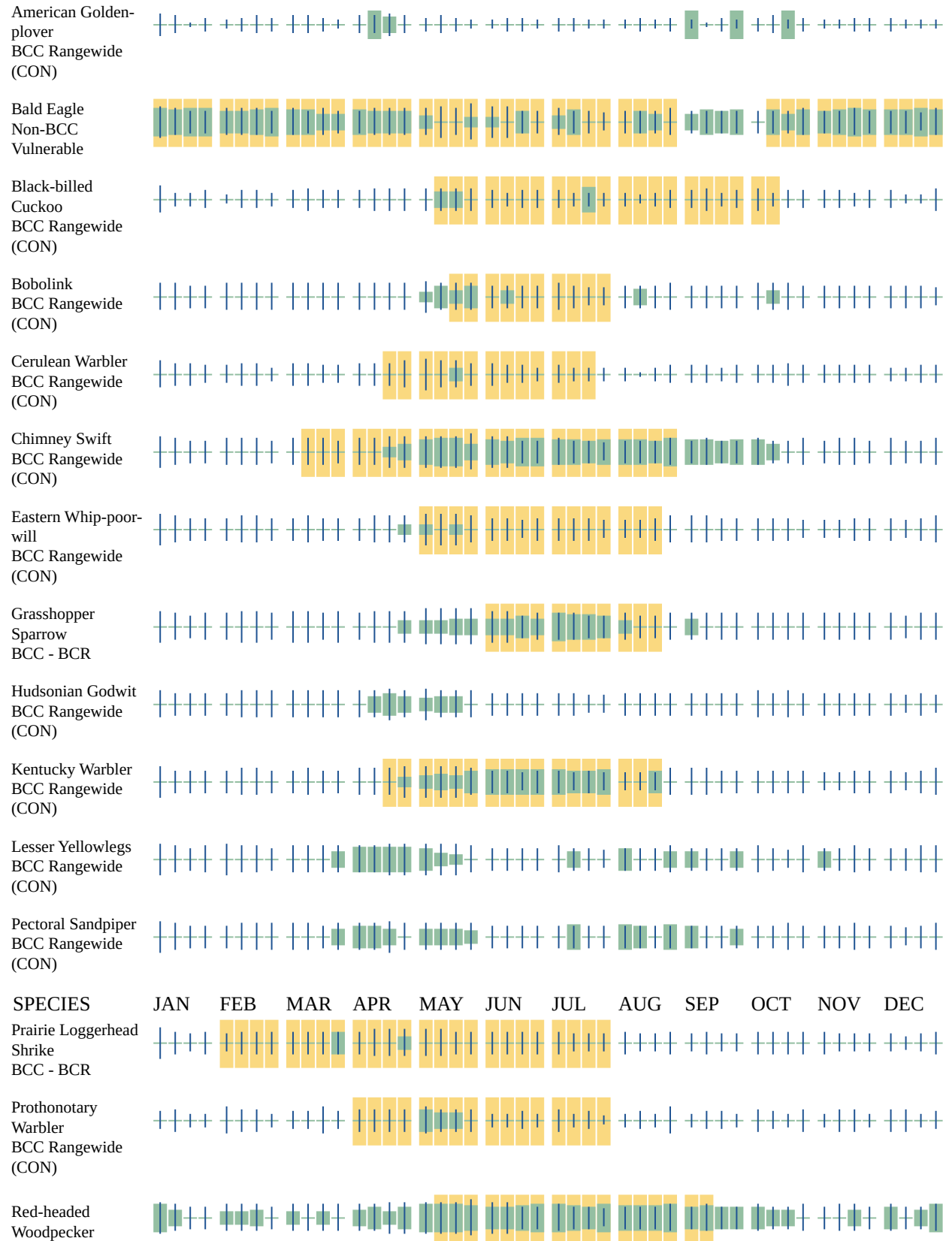
Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

### No Data (—)

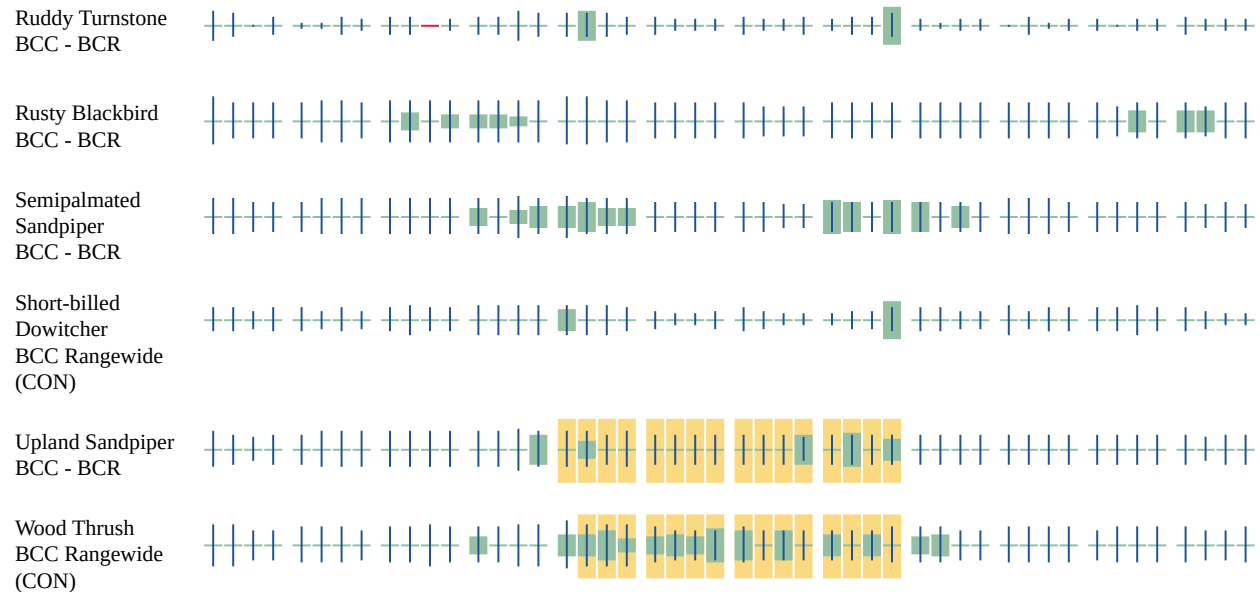
A week is marked as having no data if there were no survey events for that week.

■ probability of presence   ■ breeding season   | survey effort   — no data

SPECIES    JAN    FEB    MAR    APR    MAY    JUN    JUL    AUG    SEP    OCT    NOV    DEC



BCC Rangewide  
(CON)



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide avoidance and minimization measures for birds
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

## WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

### LAKE

- L1UBHh
- L2USCx

- L1UBHx

FRESHWATER POND

- PUBFx
- PUSCx
- PABF
- PABFh
- PUSCh
- PUBGx
- PUSAh
- PUBFh
- PABFx
- PUSAx
- PUSC

FRESHWATER EMERGENT WETLAND

- PEM1A
- PEM1Cx
- PEM1Ch
- PEM1Ah
- PEM1Ax
- PEM1C
- PEM1Fh

RIVERINE

- R4SBC
- R2UBH
- R2UBG
- R4SBA
- R4SBCx
- R2UBGx
- R5UBH
- R2USA
- R2USC

FRESHWATER FORESTED/SHRUB WETLAND

- PSSA
- PFOAh
- PFOAx
- PSSAx

- PFOA

## **IPAC USER CONTACT INFORMATION**

Agency: Private Entity  
Name: Alexandra Hipolito  
Address: 5404 Cypress Center Drive  
Address Line 2: 125  
City: Tampa  
State: FL  
Zip: 33609  
Email: ahipolito722@gmail.com  
Phone: 7745733623

## **LEAD AGENCY CONTACT INFORMATION**

Lead Agency: Federal Aviation Administration



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Nebraska Ecological Services Field Office  
9325 B South Alda Rd., Ste B  
Wood River, NE 68883-9565  
Phone: (308) 382-6468 Fax: (308) 384-8835  
<https://fws.gov/office/nebraska-ecological-services>

In Reply Refer To:

03/18/2026 20:53:59 UTC

Project code: 2026-0064551

Project Name: Amazon Drone Delivery - Omaha OMA2

Federal Nexus: yes

Federal Action Agency (if applicable): Federal Aviation Administration

**Subject:** Record of project representative's no effect determination for 'Amazon Drone Delivery - Omaha OMA2'

Dear Alexandra Hipolito:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on March 18, 2026, for 'Amazon Drone Delivery - Omaha OMA2' (here forward, Project). This project has been assigned Project Code 2026-0064551 and all future correspondence should clearly reference this number. **Please carefully review this letter.**

### **Ensuring Accurate Determinations When Using IPaC**

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the **Northern Long-eared Bat and Tricolored Bat Range-wide Determination Key (Dkey)**, invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.***

### **Determination for the Northern Long-Eared Bat and/or Tricolored Bat**

Based upon your IPaC submission and a standing analysis, your project has reached the following effect determinations:

<b>Species</b>	<b>Listing Status</b>	<b>Determination</b>
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Northern Long-eared Bat ( <i>Myotis septentrionalis</i> )	Endangered	No effect
Tricolored Bat ( <i>Perimyotis subflavus</i> )	Proposed	No effect
	Endangered	

Federal agencies must consult with U.S. Fish and Wildlife Service under section 7(a)(2) of the Endangered Species Act (ESA) when an action *may affect* a listed species. Tricolored bat is proposed for listing as endangered under the ESA, but not yet listed. For actions that may affect a proposed species, agencies cannot consult, but they can *confer* under the authority of section 7(a)(4) of the ESA. Such conferences can follow the procedures for a consultation and be adopted as such if and when the proposed species is listed. Should the tricolored bat be listed, agencies must review projects that are not yet complete, or projects with ongoing effects within the tricolored bat range that previously received a NE or NLAA determination from the key to confirm that the determination is still accurate.

To make a no effect determination, the full scope of the proposed project implementation (action) should not have any effects (either positive or negative), to a federally listed species or designated critical habitat. Effects of the action are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (See § 402.17).

Under Section 7 of the ESA, if a federal action agency makes a no effect determination, no consultation with the Service is required (ESA §7). If a proposed Federal action may affect a listed species or designated critical habitat, formal consultation is required except when the Service concurs, in writing, that a proposed action "is not likely to adversely affect" listed species or designated critical habitat [50 CFR §402.02, 50 CFR§402.13].

### **Other Species and Critical Habitat that May be Present in the Action Area**

The IPaC-assisted determination key for the northern long-eared bat and tricolored bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Monarch Butterfly *Danaus plexippus* Proposed Threatened
- Pallid Sturgeon *Scaphirhynchus albus* Endangered
- Piping Plover *Charadrius melodus* Threatened
- Suckley's Cuckoo Bumble Bee *Bombus suckleyi* Proposed Endangered
- Western Prairie Fringed Orchid *Platanthera praeclara* Threatened
- Western Regal Fritillary *Argynnis idalia occidentalis* Proposed Threatened

You may coordinate with our Office to determine whether the Action may affect the animal species listed above and, if so, how they may be affected.

## Next Steps

If there are no updates on listed species, no further consultation/coordination for this project is required with respect to the species covered by this key. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the Service should take place to ensure compliance with the Act.

If you have any questions regarding this letter or need further assistance, please contact the Nebraska Ecological Services Field Office and reference Project Code 2026-0064551 associated with this Project.

**Compliance with Nebraska Nongame and Endangered Species Conservation Act** Federally listed species protected under the Endangered Species Act are also state-listed under the Nebraska state statute, the Nebraska Nongame and Endangered Species Conservation Act. To determine if the proposed project may affect state-listed species, the Service recommends that the project proponent contact the Nebraska Game and Parks Commission (NGPC) Planning and Program Division located at 2200 North 33rd Street Lincoln, Nebraska 68503-0370. To request an environmental review from the NGPC, visit their Environmental Review website at <http://outdoornebraska.gov/environmentalreview/> for instructions.

## Action Description

You provided to IPaC the following name and description for the subject Action.

### 1. Name

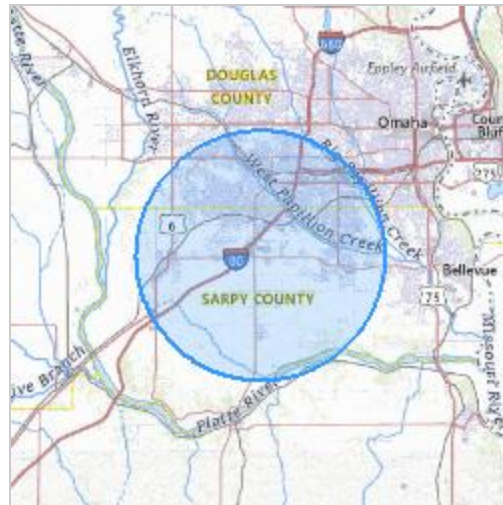
Amazon Drone Delivery - Omaha OMA2

### 2. Description

The following description was provided for the project 'Amazon Drone Delivery - Omaha OMA2':

Drone delivery

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.14873085,-96.13182903061991,14z>



## DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the species covered by this determination key. Therefore, no consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required for those species.

## QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of listed bats or any other listed species?

**Note:** Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. Is the action area wholly within Zone 2 of the year-round active area for northern long-eared bat and/or tricolored bat?

**Automatically answered**

No

3. Does the action area intersect Zone 1 of the year-round active area for northern long-eared bat and/or tricolored bat?

**Automatically answered**

No

4. Does any component of the action involve leasing, construction or operation of wind turbines? Answer 'yes' if the activities considered are conducted with the intention of gathering survey information to inform the leasing, construction, or operation of wind turbines.

No

5. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

**Note for projects in Pennsylvania:** Projects requiring authorization under Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act would be considered as having a federal nexus. Since the U.S. Army Corps of Engineers (Corps) has issued the Pennsylvania State Programmatic General Permit (PASPGP), which may be verified by the PA Department of Environmental Protection or certain Conservation Districts, the need to receive a Corps authorization to perform the work under the PASPGP serves as a federal nexus. As such, if proposing to use the PASPGP, you would answer 'yes' to this question.

Yes

6. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

*No*

7. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

**Note:** This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

*No*

8. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

*No*

9. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

*No*

10. [Semantic] Is the action area located within 0.5 miles of a known bat hibernaculum or winter roost? Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your state wildlife agency.

**Automatically answered**

*Yes*

11. Does the action area contain any winter roosts or caves (or associated sinkholes, fissures, or other karst features), mines, rocky outcroppings, or tunnels that could provide habitat for hibernating bats?

*No*

12. Does the action area contain (1) talus or (2) anthropogenic or naturally formed rock shelters or crevices in rocky outcrops, rock faces or cliffs?

*No*

13. Will the action cause effects to a bridge?

**Note:** Covered bridges should be considered as bridges in this question.

*No*

14. Will the action result in effects to a culvert or tunnel at any time of year?

*No*

15. Are trees present within 1000 feet of the action area?

**Note:** If there are trees within the action area that are of a sufficient size to be potential roosts for bats answer "Yes". If unsure, additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: <https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>.

*Yes*

16. Does the action include the intentional exclusion of bats from a building or building-like structure? **Note:** Exclusion is conducted to deny bats' entry or reentry into a building. To be effective and to avoid harming bats, it should be done according to established standards. If your action includes bat exclusion and you are unsure whether northern long-eared bats or tricolored bats are present, answer "Yes." Answer "No" if there are no signs of bat use in the building/structure. If unsure, contact your local Ecological Services Field Office to help assess whether northern long-eared bats or tricolored bats may be present. Contact a Nuisance Wildlife Control Operator (NWCO) for help in how to exclude bats from a structure safely without causing harm to the bats (to find a NWCO certified in bat standards, search the Internet using the search term "National Wildlife Control Operators Association bats"). Also see the White-Nose Syndrome Response Team's guide for bat control in structures.

*No*

17. Does the action involve removal, modification, or maintenance of a human-made building-like structure (barn, house, or other building) **known or suspected to contain roosting bats?**

*No*

18. Will the action cause construction of one or more new roads open to the public?

For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

*No*

19. Will the action include or cause any construction or other activity that is reasonably certain to increase average night-time traffic permanently or temporarily on one or more existing roads? **Note:** For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.). .

*No*

20. Will the action include or cause any construction or other activity that is reasonably certain to increase the number of travel lanes on an existing thoroughfare?

For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

*No*

21. Will the proposed Action involve the creation of a new water-borne contaminant source (e.g., leachate pond, pits containing chemicals that are not NSF/ANSI 60 compliant)?

**Note:** For information regarding NSF/ANSI 60 please visit <https://www.nsf.org/knowledge-library/nsf-ansi-standard-60-drinking-water-treatment-chemicals-health-effects>

No

22. Will the proposed action involve the creation of a new point source discharge from a facility other than a water treatment plant or storm water system?

No

23. Will the proposed action involve blasting or drilling?

No

24. Will the action involve military training (e.g., smoke operations, obscurant operations, exploding munitions, artillery fire, range use, helicopter or fixed wing aircraft use at night)?

No

25. Will the proposed action involve the use of herbicides or pesticides (e.g., fungicides, insecticides, or rodenticides)?

No

26. Will the action include or cause activities that are reasonably certain to cause chronic or intense nighttime noise (above current levels of ambient noise in the area) in suitable summer habitat for the northern long-eared bat or tricolored bat during the active season?

Chronic noise is noise that is continuous or occurs repeatedly again and again for a long time. Sources of chronic or intense noise that could cause adverse effects to bats may include, but are not limited to: road traffic; trains; aircraft; industrial activities; gas compressor stations; loud music; crowds; oil and gas extraction; construction; and mining.

**Note:** Additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: <https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>.

No

27. Does the action include, or is it reasonably certain to cause, the use of permanent or temporary artificial lighting within 1000 feet of suitable forested northern long-eared bat or tricolored bat roosting habitat? **Note:** Additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: <https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>.

No

28. Will the action include tree cutting or other means of knocking down or bringing down trees, tree topping, or tree trimming?

No

29. Will the proposed action result in the use of prescribed fire?

**Note:** If the prescribed fire action includes other activities than application of fire (e.g., tree cutting, fire line preparation) please consider impacts from those activities within the previous representative questions in the key. This set of questions only considers impacts from flame and smoke.

No

30. Does the action area intersect the northern long-eared bat species list area?

**Automatically answered**

Yes

31. [Semantic] Is the action area located within 0.5 miles of radius of an entrance/opening to any known NLEB hibernacula or winter roost? Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

**Automatically answered**

Yes

32. Is suitable summer habitat for the northern long-eared bat present within 1000 feet of project activities?

If unsure, answer "Yes."

**Note:** Additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: <https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>.

Yes

33. Has a presence/probable absence summer bat survey targeting the northern long-eared bat following the Service's [Range-wide Indiana Bat and Northern Long-Eared Bat Survey Guidelines](#) been conducted within the project area?

No

34. Does the action area intersect the tricolored bat species list area?

**Automatically answered**

Yes

35. Is the action area located within 0.5-mile of radius of an entrance/opening to any known tricolored bat hibernacula or winter roost?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your state wildlife agency.

**Automatically answered**

Yes

36. Has a presence/probable absence bat survey targeting the [tricolored bat and following the Service's Range-wide Indiana Bat and Northern Long-Eared Bat Survey Guidelines](#) been conducted within the project area?

*No*

37. Is suitable summer habitat for the tricolored bat present within 1000 feet of project activities?

(If unsure, answer ""Yes."" )

**Note:** If there are trees within the action area that may provide potential roosts for tricolored bats (e.g., clusters of leaves in live and dead deciduous trees, Spanish moss (*Tillandsia usneoides*), clusters of dead pine needles of large live pines) answer ""Yes."" For a complete definition of suitable summer habitat for the tricolored bat, please see Appendix A in the [Service's Range-wide Indiana Bat and Northern long-eared Bat Survey Guidelines](#).

*Yes*

38. Do you have any documents that you want to include with this submission?

*No*

# PROJECT QUESTIONNAIRE

## **IPAC USER CONTACT INFORMATION**

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## **LEAD AGENCY CONTACT INFORMATION**

Lead Agency: Federal Aviation Administration