



United States Department of the Interior



FISH AND WILDLIFE SERVICE
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Consultation Code: 05E2VA00-2015-SLI-1122

March 02, 2015

Event Code: 05E2VA00-2015-E-01122

Project Name: NAO-2014-01139 NOVEC Substation

Subject: List of threatened and endangered species that may occur in your proposed project location, and/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 ECOS-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 ECOS-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" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

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 Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: NAO-2014-01139 NOVEC Substation

Official Species List

Provided by:

Virginia Ecological Services Field Office

6669 SHORT LANE

GLOUCESTER, VA 23061

(804) 693-6694

<http://www.fws.gov/northeast/virginiafield/>

Consultation Code: 05E2VA00-2015-SLI-1122

Event Code: 05E2VA00-2015-E-01122

Project Type: Transmission Line

Project Name: NAO-2014-01139 NOVEC Substation

Project Description: The applicant proposes to construct an electric utility distribution station which will result in permanent impacts to 0.370 acres of palustrine emergent wetlands, 0.091 acres of palustrine scrub-shrub wetlands, 0.225 acres of palustrine forested wetlands, and the conversion of 0.045 acres of palustrine forested wetlands to emergent.

Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior
Fish and Wildlife Service

Project name: NAO-2014-01139 NOVEC Substation

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-77.535829 38.7783699, -77.5343914 38.7778847, -77.5359063 38.7752166, -77.5373396 38.7756766, -77.535829 38.7783699)))

Project Counties: Prince William, VA



United States Department of Interior
Fish and Wildlife Service

Project name: NAO-2014-01139 NOVEC Substation

Endangered Species Act Species List

There are a total of 2 threatened or endangered species on your 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. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Clams	Status	Has Critical Habitat	Condition(s)
Dwarf wedgemussel (<i>Alasmidonta heterodon</i>) Population: Entire	Endangered		
Flowering Plants			
harperella (<i>Ptilimnium nodosum</i>)	Endangered		



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Fish and Wildlife Service

Project name: NAO-2014-01139 NOVEC Substation

Critical habitats that lie within your project area

There are no critical habitats within your project area.

Species Conclusions Table

Project Manager: Keith Goodwin	Project Name: NOVEC Railway Substation
Date: March 2, 2015	Project Number: NAO-2014-01139

Project Description: Construction of a electric utility distribution station

Species Under the Jurisdiction of FWS:

Species/Resource Name	Conclusion	ESA Section 7 / Eagle Act Determination	Species Info / Habitat Description	Notes / Determination
Harperella (Ptilimnium nodosum)	Species not present	No effect	Harperella "[o]ccurs in three habitat types: rocky/gravelly shoals or cracks in bedrock outcrops beneath the water surface in clear, swift-flowing streams (usually in microsites that are sheltered from rapidly moving water); edges of intermittent pineland ponds or low, wet savannah meadows on the Coastal Plain; and granite outcrop seeps. In all habitat-types, the species occurs in a narrow range of water depths; it is intolerant of deep water and of conditions that are too dry. However, the plants readily tolerate periodic, moderate flooding - something to which few potential competitors are adapted. P. nodosum seeds generally germinate during short-duration spring floods and the plants have completed their life cycle by late summer or fall, just as water levels are lowest and competing species are moving in."* (NatureServe. 2014. NatureServe Explorer: An online encyclopedia of life [web application]. Version 7.1. NatureServe, Arlington, Virginia. Available http://explorer.natureserve.org . (Accessed: September 25, 2014).	No habitat present within the permit area
Dwarf wedge mussel (Alasmidonta heterodon)	Species not present	No effect	"The dwarf wedge mussel lives in shallow to deep rivers and creeks of various sizes where the current is slow to moderate. This mussel lives on muddy sand, sandy, and gravel stream bottoms that are nearly silt free."	No habitat present within the permit area

Species Conclusions Table

Date: March 2, 2015	Project Number: NAO-2014-01139
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Eagles (*Haliaeetus leucocephalus*)

Eagle Nests	Unlikely to disturb nesting bald eagles	No Eagle Act permit required		
Eagle Concentration Areas	Does not intersect with bald eagle concentration area	No Eagle Act permit required		

Critical Habitat

N/A				
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Other (species not listed above)

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Species Under the Jurisdiction of NOAA/NMFS

Essential Fish Habitat	No effect			
Anadromous Fish Use Area	No effect			
Subaquatic Vegetation	No effect			
HAPC Sandbar Shark	No effect			
Atlantic Sturgeon	No effect			

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