

## **SECTION 7 THREATENED AND ENDANGERED SPECIES INFORMATION**

The following is a summary of the threatened and endangered correspondence to date for the Project:

- Earth Tech to Virginia Department of Conservation and Recreation (VDCR), August 3, 2006, VDCR to Earth Tech, September 6, 2006, and VDCR to Earth Tech, September 6, 2006 CORRECTED;
- Dominion to Virginia Department of Game and Inland Fisheries (VDGIF), March 20, 2007 and VDGIF to Dominion April 3, 2007;
- Dominion to United States Fish and Wildlife Service (USFWS), March 20, 2007;
- Dominion to VDCR, June 15, 2007, VDCR to Dominion, July 6, 2007, and VDCR to Dominion, July 9, 2007;
- Dominion to VDGIF, June 15, 2007, and VDGIF to Dominion, August 23, 2007; and
- Dominion to USFWS, June 15, 2007.

Copies of all correspondence for threatened and endangered species have been included in Attachment 7.1 of the Joint Permit Application (JPA).

In September 2006, Dominion completed preliminary habitat assessments for the Project area to identify potential species habitat. Dominion also completed a review of data for the occurrence of threatened and endangered species or their habitats and Critical Habitat designations from the USFWS and VDCR. The USFWS identified nine species under federal protection in Wise County (Table 1 of Attachment 7.2 of the JPA). The VDCR did not identify any known threatened or endangered species. Further consultation with the USFWS determined that the Clinch River is Critical Habitat for several mussel species at the Russell/Wise County border. During a meeting held on April 26, 2007, VDGIF requested that studies for the Tennessee heelsplitter mussel be completed in the on-site streams.

Based on the results of these assessments and the VDGIF request from the April 26, 2007 meeting, species-specific studies for the small whorled pogonia and freshwater mussels were completed on-site in May and June 2007. A summary of the studies, from Attachment 7.2 of the JPA, that were completed and recommendations for each species are provided below.

- Two stream systems, Meade and Russell Creeks, are present adjacent to the site. Although the streams do not appear to present an optimum habitat, these two creeks may provide habitat for mussels and in particular the Tennessee heelsplitter (not officially listed for Wise County). Surveys of these two streams and UT-2, Curley Hollow (unnamed tributary to Meade Creek), were completed in May 2007. The surveys did not reveal the presence of any rare or endangered mussel species. No additional surveys for mussels are recommended.
- No habitat for the Indiana bat and the gray bat was found. The on-site stream systems do not provide suitable foraging or roosting habitat. A mist net survey and bat habitat study were also completed for the Project in August 2007. No abandoned mine portals suitable for bat habitat were identified and no endangered bat species were captured during the study (Attachment 7.3).

- The lower reach of Russell and Meade Creeks is large enough to provide habitat for Virginia spiraea. A study of the stream banks was completed in September 2006. The study did not identify any Virginia spiraea. None of the stream reaches with suitable habitat will be impacted by the proposed Power Plant. No additional surveys for Virginia spiraea are recommended.
- Several areas within Curley Hollow were identified as potential habitat for the federally-listed small whorled pogonia. Surveys of areas with suitable habitat were completed in June 2007. No small whorled pogonia plants were identified. No additional surveys for small whorled pogonia are recommended.

Correspondence from the VDGIF dated April 3, 2007 and August 23, 2007 identified several species listed as federal and state endangered, federal and state threatened, and federal candidate species within two miles of the proposed Project area. Additionally, federal species of concern and state special concern species were identified within two miles of the Project area. Tributaries within the Project area are tributaries to the Clinch River, which is designated as Threatened and Endangered Species' Water.

Correspondence from the VDCR dated July 6, 2007 and July 9, 2007 determined that no known recreational areas or facilities will be impacted by the Project. The Clinch River-Copper Creek SCU was identified downstream of the Project area. The SCU has a biodiversity ranking of B2, which represents a site of "very high significance." A list of 50 natural resources associated with the SCU was provided in the correspondence (Attachment 7.1). Additionally, 34 species are associated with the Clinch River being a VDGIF-designated "Threatened and Endangered Species Waters". No known State Natural Area Preserves under VDCR's jurisdiction are located within the Project area. On behalf of the Virginia Department of Agriculture and Consumer Services, the VDCR did not document state-listed plants or insects that will be impacted by the proposed Project.