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To: "Richard Emch" <RLE@nrc.gov>
Date: Fri, Mar 18, 2005 10:26 AM
Subject: Question 2 Response

Attached is the response to the question regarding endangered species covered under the MOU.

<<Followup Question2.doc>>

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2) What species and/or occurrences are currently included in the MOU with the Department of Environment, Health, and Natural Resources, and does Progress Energy/CPL plan to update the MOU or the list of species or occurrences covered by the MOU?

Response: Below is a list of species protected in the four areas currently included in the NC Natural Heritage Program MOU that are within the scope of Brunswick Relicensing. There are 39 different species and 1 natural area listed.

Brunswick County

(1) Boiling Spring Lakes Powerline Savanna Registered Heritage Area

Scientific Name	Common Name	State ¹	Federal ²
<u>Birds</u>			
<i>Anhinga anhinga</i>	Anhinga	SR	
<i>Picoides borealis</i>	Red-cockaded Woodpecker	E	E
<u>Plants</u>			
<i>Bacopa caroliniana</i>	Blue Water-hyssop	SR-P	
<i>Lachnocaulon minus</i>	Brown Bogbutton	SR-P	
<i>Cyperus lecontei</i>	Leconte's Flatsedge	SR-P	
<i>Eupatorium leptophyllum</i>	Limesink Dog-fennel	SR-P	
<i>Lysimachia asperulifolia</i>	Rough-leaf Loosestrife	E	E
<i>Dionaea muscipula</i>	Venus Flytrap	SR-L, SC	FSC
<i>Rhexia cubensis</i>	West Indies Meadow-beauty	SR-P	
<u>Reptiles</u>			
<i>Seminatrix pygaea</i>	Black Swamp Snake	SR	
<i>Malaclemys terrapin centrata</i>	Carolina Diamondback Terrapin	SC	
<i>Masticophis flagellum</i>	Coachwhip	SR	
<i>Crotalus adamanteus</i>	Eastern Diamondback Rattlesnake	E	
<i>Regina rigida</i>	Glossy Crayfish Snake	SR	
<i>Sistrurus miliarius</i>	Pigmy Rattlesnake	SC	
<u>Natural Area</u>			
Colonial Wading Bird Colony			

¹State status codes: SR = NCNHP Significantly Rare; E = Endangered; SR-P = NCNHP Significantly Rare—at the periphery of its range in NC; SR-L = NCNHP Significantly Rare—range is limited to North Carolina and adjacent states; SC = Special Concern

²Federal status codes: E = Endangered; FSC = Federal Species of Concern

Cumberland County

(2) CP&L Right-of-Way MOU

Scientific Name	Common Name	State ¹	Federal ²
<u>Bird</u>			
<i>Picoides borealis</i>	Red-cockaded Woodpecker	E	E
<u>Plants</u>			
<i>Rhexia aristosa</i>	Awned Meadow-beauty	T	FSC
<i>Lysimachia asperulifolia</i>	Rough-leaf Loosestrife	E	E
<i>Pteroglossaspis ecristata</i>	Spiked Medusa (=eulophia)	E	FSC
<i>Gelsemium rankinii</i>	Swamp Jessamine	SR-P	
<u>Reptiles</u>			

<i>Alligator mississippiensis</i>	American Alligator	T	T(S/A)
<i>Pituophis melanoleucus melanoleucus</i>	Northern Pine Snake	SC	FSC

¹State status codes: E = Endangered; T = Threatened; SR-P = NCNHP Significantly Rare—at the periphery of its range in NC; SC = Special Concern

²Federal status codes: E = Endangered; FSC = Federal Species of Concern; T (S/A) = Threatened due to similarity of appearance to rare crocodilians.

Onslow County

(3) Cooley's Meadowrue Powerline Registered Heritage Area

Scientific Name	Common Name	State ¹	Federal ²
<u>Plants</u>			
<i>Packera paupercula</i>	Balsam Ragwort	SR-P	
<i>Andropogon mohrii</i>	Bog Bluestem	SR-P	
<i>Parnassia caroliniana</i>	Carolina Grass-of-parnassus	E	FSC
<i>Thalictrum cooleyi</i>	Cooley's Meadowrue	E	E
<i>Carex lutea</i>	Golden Sedge	E	E
<i>Plantago sparsiflora</i>	Pineland Plantain	E	FSC
<i>Arnoglossum ovatum</i>	Savanna Indian-plantain	SR-P	
<i>Scleria verticillata</i>	Savanna Nutrush	SR-P	
<i>Allium</i> sp. 1	Savanna Onion	SR-L	FSC
<i>Agalinis aphylla</i>	Scale-leaf Gerardia	SR-P	
<i>Rhynchospora globularis</i> var. <i>pinetorum</i>	Small's Beaksedge	SR-T	
<i>Rhynchospora thornei</i>	Thorne's Beaksedge	E	FSC
<i>Dionaea muscipula</i>	Venus Flytrap	SR-L, SC	FSC
<i>Platanthera integra</i>	Yellow Fringeless Orchid	T	
<u>Reptile</u>			
<i>Regina rigida</i>	Glossy Crayfish Snake	SR	

¹State status codes: E = Endangered; SR-P = NCNHP Significantly Rare—at the periphery of its range in NC; SR-L = NCNHP Significantly Rare—range is limited to North Carolina and adjacent states; SR-T = NCNHP Significantly Rare—rare throughout range

²Federal status codes: E = Endangered; FSC = Federal Species of Concern

Onslow County

(4) CP&L Right-of-Way MOU

Scientific Name	Common Name	State ¹	Federal ²
<u>Plants</u>			
<i>Lysimachia asperulifolia</i>	Rough-leaf Loosestrife	E	E
<i>Dionaea muscipula</i>	Venus Flytrap	SR-L, SC	FSC

¹State status codes: E = Endangered; SR-L = NCNHP Significantly Rare—range is limited to North Carolina and adjacent states; SC = Special Concern

²Federal status codes: E = Endangered; FSC = Federal Species of Concern

As discussed during the NRC visit to Brunswick in January, 2005, there is one additional occurrence of a rare plant on our right of way

(ROW), the federal and state endangered rough-leaf loosestrife, that was identified by the land owner, an environmental agency within the Department of Environment and Natural Resources. We are protecting the plant and its habitat with the same protection provided other rare plants on our ROWs. By the land owner's request, this occurrence is not included in the MOU with the Natural Heritage Program. We are not aware of any additional occurrences of rare plants that have not been identified to the NC Natural Heritage Program.

The MOU is a broad agreement which recognizes a cooperative protection of rare plants, rare animals, and natural areas on our ROWs. The agreement covers the locations of species currently known as well as locations that may be identified in the future without the need for modification of the MOU itself for each additional occurrence. Only the list of populations covered will be modified as new species or areas are identified. When the NC Natural Heritage Program identifies a population that they wish to be included under the protection of our program, they request Progress Energy Environmental Services to add the new population.

Progress Energy's Management of Rare Plant Sites on CP&L Power Line Rights of Way: Rare Plants on CP&L Distribution and Transmission Corridors document contains the locations of rare plant locations and the protection recommended for those plants currently covered under the MOU. Based on recent discussions to confirm their satisfaction with our maintenance of the MOU, the NC Natural Heritage Program is pleased with the efforts Progress Energy has shown to date and considers us to be a good corporate environmental steward and supports our current practices in protecting rare plants on our ROWs. Rare animals included in the MOU are protected as the habitats of the ROWs are protected. Additionally, other corporate procedures are in place to further protect rare, threatened and endangered plants and animals.