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October 15, 2008

Mr. Richard Bulavinetz
Nuclear Regulatory Commission
Rockville, MD 20852

RE: Sensitive Species Information request
Bellefonte Nuclear Reactor Sites

Dear Mr. Bulavinetz:

The Natural Heritage Section office received your e-mail dated October 9, 2008 addressed to Steve Rider on October 15, 2008 and has since developed the following information pertaining to sensitive species (state protected, and federally listed candidate, threatened, and endangered species). I have enclosed a list of sensitive species which the Natural Heritage Section Database or the U.S. Fish and Wildlife Service have indicated occur or have occurred in Jackson County. Additionally, I have listed some potentially helpful and informative web sites at the end of this letter.

The Natural Heritage Section database contains numerous records of sensitive species in Jackson County. Our database indicates the area of interest has had no biological survey performed at the delineated location, by our staff or any individuals referenced in our database. Therefore we can make no accurate assessment to the past or current inhabitancy of any federal or state protected species at that location. A biological survey conducted by trained professionals is the most accurate way to ensure that no sensitive species are jeopardized by the development activities. The closest sensitive species is recorded in our database as occurring approximately 3.8 miles from the subject site. This federally listed endangered species (Gray Bat) will forage over land and water and occurs throughout the Tennessee River system habitat.*

I hope this information will be useful to you. The provided information is to help you in fulfilling your necessary legal obligations. The information does not suggest that protected species are not at this location. The specific location of a sensitive species is considered confidential information by a State Lands Division Regulation and can be released only to individuals who enter into a confidentiality and indemnity contract with the State Lands Division.

The Natural Heritage Section provides this information as a service to the people of Alabama. The NHS acts as a clearing house for species distribution data. We happily



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accept any information environmental researchers are willing to donate. Sensitive species exact locations are kept confidential. If you would be willing to donate any information to this database, we will be better able to assist all individuals interested in environmental compliance.

Sincerely,



Ashley Peters
Database Manager
Natural Heritage Section

Enclosures

*Paraphrased Information from NatureServe. 2006. NatureServe Explorer: An online encyclopedia of life [web application]. Version 5.0. NatureServe, Arlington, Virginia. Available <http://www.natureserve.org/explorer>. (Accessed: August 18, 2006).

Potentially helpful web sites

Information about federally listed species
<http://daphne.fws.gov/es/specieslst.htm>
<http://www.pfmt.org/wildlife/endangered/>
<http://www.natureserve.org/explorer/>

State Protected Species Regulations:
<http://www.outdooralabama.com/hunting/regulations/regs.cfm>

ALABAMA'S FEDERALLY LISTED AND STATE PROTECTED SPECIES (BY COUNTY)

This is a list of species deemed sensitive by the Alabama State Lands Division's Natural Heritage Section (SLD-NHS) believed to occur in the designated county and the legal protection status of either State protected or federally listed. This list is a combination of the April 2007 U.S.F.W. Service (Daphne field Office) federally listed species by county list and the Alabama State Lands Division's Natural Heritage Section Database of species distributions data. This list is continually being updated, and, therefore, it may be incomplete or inaccurate and is provided strictly for informational purposes. It does not constitute any form of Section 7 consultation. We recommend that the U.S.F.W. Service Field Office in Daphne be contacted for Section 7 consultations. Site specific information can be provided by the Alabama SLD-NHS and/or the U.S.F.W. Service (Daphne field Office) prior to project activities. To be certain of occurrence, surveys should be conducted by qualified biologists to determine if a sensitive species occurs within a project area. Species not listed for a given county does not imply that they do not occur there, only that their occurrence there is as yet unrecorded by these two agencies. This list is currently under review and reflects only our current understanding of species distributions.

Jackson

Protection Status	Common name	Scientific Name	State Regulation Applicable
Candidate	Slabside Pearlymussel	<i>Lexingtonia dolabelloides</i>	220-2-.98 (1) (a)
Candidate	White Fringeless Orchid	<i>Platanthera integrilabia</i>	
Endangered	Gray Bat	<i>Myotis grisescens</i>	220-2-.92 (1) (e)
Endangered	Green Pitcher-plant	<i>Sarracenia oreophila</i>	
Endangered	Hine's Emerald Dragonfly (P)	<i>Somatochlora hineana</i>	
Endangered	Indiana Bat	<i>Myotis sodalis</i>	220-2-.92 (1) (e)
Endangered	Morefield's Leather Flower	<i>Clematis morefieldii</i>	
Endangered	Orangefoot (Pearlymussel) Pimple	<i>Plethobasus cooperianus</i>	220-2-.98 (1) (a)
Endangered	Pale (Pearlymussel) Lilliput	<i>Toxolasma cylindrellus</i>	220-2-.98 (1) (a)
Endangered	Palezone Shiner	<i>Notropis albizonatus</i>	220-2-.92 (1) (a)
Endangered	Pink (Pearlymussel) Mucket	<i>Lampsilis abrupta</i>	220-2-.98 (1) (a)
Endangered / Experimental	Alabama Lampmussel	<i>Lampsilis virescens</i>	220-2-.98 (1) (a)
Endangered / Experimental	Anthony's Riversnail	<i>Athearnia anthonyi</i>	220-2-.98 (1) (a)
Endangered / Experimental	Finerayed Pigtoe	<i>Fusconaia cuneolus</i>	220-2-.98 (1) (a)
Endangered / Experimental	Shiny Pigtoe	<i>Fusconaia cor</i>	220-2-.98 (1) (a)
State Protected	Bald Eagle	<i>Haliaeetus leucocephalus</i>	220-2-.92 (1) (d)
State Protected	Cumberland Moccasinshell	<i>Medionidus conradicus</i>	220-2-.98 (1) (a)
State Protected	Green Salamander	<i>Aneides aeneus</i>	220-2-.92 (1) (b)
State Protected	Lollipop Darter	<i>Etheostoma neopterum</i>	220-2-.92 (1) (a)
State Protected	Osprey	<i>Pandion haliaetus</i>	220-2-.92 (1) (d)
State Protected	Paddlefish	<i>Polyodon spathula</i>	220-2-.94
State Protected	Rabbitsfoot	<i>Quadrula cylindrica</i>	220-2-.98 (1) (a)

Jackson

Protection Status	Common name	Scientific Name	State Regulation Applicable
State Protected	Rafinesque's Big-eared Bat	<i>Corynorhinus rafinesquii</i>	220-2-.92 (1) (e)
State Protected	Sheepnose	<i>Plethobasus cyphus</i>	220-2-.98 (1) (a)
State Protected	Slippershell Mussel	<i>Alasmidonta viridis</i>	220-2-.98 (1) (a)
State Protected	Southern Cavefish	<i>Typhlichthys subterraneus</i>	220-2-.92 (1) (a)
State Protected	Spring Pygmy Sunfish	<i>Elassoma alabamae</i>	220-2-.92 (1) (a)
State Protected	Tennessee Cave Salamander	<i>Gyrinophilus palleucus</i>	220-2-.92 (1) (b)
State Protected	Tuscumbia Darter	<i>Etheostoma tuscumbia</i>	220-2-.92 (1) (a)
Threatened	American Hart's-tongue Fern	<i>Asplenium scolopendrium americanum</i>	
Threatened	Price's Potato Bean	<i>Apios priceana</i>	
Threatened	Snail Darter	<i>Percina tanasi</i>	220-2-.92 (1) (a)

Key to codes on list:

Endangered - Federally listed as Endangered
Threatened - Federally listed as Threatened
Candidate - Federally listed as Candidate
State Protected - It is unlawful to take, capture, or kill; possess, sell, trade for anything of monetary value, or offer to sell or trade these species. Alabama Regulations relating to game, fish, and furbearing animals. 2005-2006.
Alabama Department of Conservation and Natural Resources.

(P) - Possible Occurrence
(S/A) - Similarity of Appearance to a listed species
(PE) - Proposed for federal listing as Endangered
(PT) - Proposed for federal listing as Threatened
(CH) - Critical Habitat has been designated
(PCH) - Critical Habitat has been proposed
(H) - Historically known to have occurred in the

Experimental - Species is protected throughout its range including Colbert and Lauderdale counties except for the nonessential experimental population. Endangered and Threatened Wildlife and Plants; Establishment of Nonessential Experimental Population Status for 16 Freshwater Mussels and 1 Freshwater Snail in the Free-Flowing Reach of the Tennessee River below the Wilson Dam, Colbert and Lauderdale Counties, Alabama. [Federal Register; June 14, 2001 (Volume 66, Number

Notes:

- Bald eagle (*Haliaeetus leucocephalus*), red-cockaded woodpecker (*Picoides borealis*) and the American peregrine falcon (*Falco peregrinus anatum*) may occur in any county, if habitat exists.
- Wood stork: July - October
- Bald eagle (*Haliaeetus leucocephalus*) has been delisted. This species is still protected by the non-game species regulation and the migratory bird act. This species distribution is statewide but it is most likely to be observed near large rivers and reservoirs.
- Sea turtles: Only loggerhead is potential nester, the rest are in coastal waters.
- Black bear (*Ursus americanus* sp.) - known to exist in Mobile County, but not listed.
- Gulf moccasinshell (*Mediondus penicillatus*), oval pigtoe (*Pleurobema pyriforme*), Chipola slabshell (*Elliptio chipolaensis*), and purple bankclimber (*Elliptio sloatianus*) are freshwater mussels of the family Unionidae found only in eastern Gulf Slope streams draining the Apalachicola Region, defined as streams from the Escambia to the Suwannee river systems, and occurring in southeast Alabama, southwest Georgia, and north Florida. All are listed as "Endangered".
- Fanshell (*Cyprogenia stegaria*), oyster mussel (*Epioblasma capsaeformis*), and Catspaw (purple cat's paw pearlymussel) (*Epioblasma obliquata obliquata*) are historically known to be found in the Tennessee River system and drainage.
- Gentian pinkroot (*Spigelia gentianoides*) has been historically found along the Alabama-Florida border.
- West Indian Manatee (*Trichechus manatus*) has been known to move north along the gulf coast west to Louisiana.