

L. Preston Bryant, Jr.
Secretary of Natural Resources



Joseph H. Maroon
Director

COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

217 Governor Street
Richmond, Virginia 23219-2010
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September 29, 2009

Michael Sackschewky
Pacific Northwest National Laboratory
P.O. Box 999 MSIN K6-85
Richland, WA 99352

Re: North Anna Power Station Unit 3- North Anna 3 Project Site, Construction Staging Area and North Anna to Ladysmith Transmission Line Corridor

Dear Mr. Sackschewky:

The Department of Conservation and Recreation's Division of Natural Heritage (DCR) has searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

North Anna 3 Project Site and Construction Staging Area

According to the information currently in our files, this site may support habitat appropriate for small whorled pogonia (*Isotria medeoloides*, G2/S2/LT/LE) in forested areas within the proposed project areas. Small whorled pogonia grows in a variety of woodland habitats in Virginia, but tends to favor mid-aged woodland habitats on gently north or northeast facing slopes often within small draws. Direct destruction as well as habitat loss and alteration are principle reasons for the species' decline (Ware, 1991). Please note that small whorled pogonia is currently classified as threatened by the United States Fish and Wildlife Service (USFWS) and as endangered by the Virginia Department of Agriculture and Consumer Services (VDACS).

Due to the potential for this site to support populations of natural heritage resources, DCR recommends an inventory for the resource in the study area. With the survey results, we can more accurately evaluate potential impacts to natural heritage resources and offer specific protection recommendations for minimizing impacts to the documented resources.

DCR-Division of Natural Heritage biologists are qualified and available to conduct inventories for rare, threatened, and endangered species. Please contact J. Christopher Ludwig, Natural Heritage Inventory Manager, at chris.ludwig@dcr.virginia.gov or 804-371-6206 to discuss arrangements for field work. A list of other individuals who are qualified to conduct inventories may be obtained from the USFWS. Due to the legal status of these species, DCR also recommends coordination with the USFWS and the VDACS to ensure compliance with protected species legislation.

*State Parks • Soil and Water Conservation • Natural Heritage • Outdoor Recreation Planning
Chesapeake Bay Local Assistance • Dam Safety and Floodplain Management • Land Conservation*

The Virginia Department of Agriculture and Consumer Services (VDACS), which has regulatory authority to conserve rare and endangered plant and insect species through the Virginia Endangered Plant and Insect Species Act, has established a Memorandum of Agreement with the Virginia Department of Conservation and Recreation (DCR). Under this Agreement DCR's Division of Natural Heritage, in consultation with VDACS, represents VDACS in its comments and recommendations regarding the potential impact of reviewed projects or activities on state-listed plant and insect species. Since it has been determined that this project or activity may impact small whorled pogonia a state-protected plant, VDACS will respond directly to ensure compliance with Virginia's Endangered Plant and Insect Species Act. Further correspondence regarding the potential impacts of this project or activity on state-listed plant and insect species should be directed to VDACS.

North Anna to Ladysmith Transmission Corridor

According to the information currently in our files, the Blanton's Powerline Conservation Site is within the powerline corridor (see attached map). Conservation sites are tools for representing key areas of the landscape that warrant further review for possible conservation action because of the natural heritage resources and habitat they support. Conservation sites are polygons built around one or more rare plant, animal, or natural community designed to include the element and, where possible, its associated habitat, and buffer or other adjacent land thought necessary for the element's conservation. Conservation sites are given a biodiversity significance ranking based on the rarity, quality, and number of element occurrences they contain; on a scale of 1-5, 1 being most significant.

The Blanton's Powerline Conservation Site has been given a biodiversity significance ranking of B5, which represents a site of general significance. The natural heritage resource of concern at this site is:

Stachys eplingii Epling's Hedge-nettle G5/S1/NL/NL

DCR recommends avoidance of this rare plant population during project construction and maintenance activities. Please note if there is any proposed widening of the existing transmission right-of-way which will entail forest removal, DCR also recommends a survey for Small whorled pogonia for this project area.

Our files do not indicate the presence of any State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

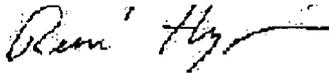
New and updated information is continually added to Biotics. Please contact DCR for an update on this natural heritage information if a significant amount of time passes before it is utilized.

A fee of \$315.00 has been assessed for the service of providing this information. Please find enclosed an invoice for that amount. Please return one copy of the invoice along with your remittance made payable to the Treasurer of Virginia, **DCR - Division of Natural Heritage, 217 Governor Street Richmond, VA 23219**. Payment is due within thirty days of the invoice date. Late payment may result in the suspension of project review service for future projects.

The Virginia Department of Game and Inland Fisheries maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters that may contain information not documented in this letter. Their database may be accessed from <http://vafwis.org/fwis/> or contact Shirl Dressler at (804) 367-6913.

Should you have any questions or concerns, feel free to contact me at 804-371-2708. Thank you for the opportunity to comment on this project.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Rene' Hypes". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

S. Rene' Hypes
Project Review Coordinator

CC: Tylan Dean, USFWS
Keith Tignor, VDACS

Literature Cited

Ware, D.M.E. 1991. Small whorled pogonia. In Virginia's Endangered Species: Proceedings of a Symposium. K. Terwilliger ed. The McDonald and Woodward Publishing Company, Blacksburg, Virginia.