

NRR-PMDAPEm Resource

From: Belton, Moni [moni_belton@fws.gov]
Sent: Thursday, March 14, 2013 5:00 PM
To: Balsam, Briana
Subject: South Texas NRC informal consultation
Attachments: Atch 1 Houston Toad Survey_Requirements.pdf; Atch 3_BMP for river, streams or tributary impacts.pdf; Figure 1 Whooping Crane Corridor.pdf; Atch 2_FWS June_02_2011_letter.pdf

Subject: ER 12-0888, Review of the Generic Draft Environmental Impact Statement (GDEIS) for License Renewal of Nuclear Plants Supplement 48 regarding South Texas, Units 1 and 2.

Ms. Balsam,

On March 4th, via telephone, we discussed the informal consultation regarding the license renewal regarding Units 1 and 2 of the South Texas Project (STP) located in Matagorda County, and associated transmission lines located in Brazoria, Matagorda, Wharton, Fayette, Colorado, Guadalupe, Bexar, Comal, Jackson, Lavaca, Victoria, DeWitt, Gonzales, Karnes, and Wilson Counties, Texas.

As discussed I am providing comments on the current plan submitted for our review, the GDEIS dated November 2012. The Nuclear Regulatory Commission (NRC) made a determination of may affect, not likely to adversely affect on the following species:

Endangered

Houston toad (*Bufo houstonensis*)

Texas blind salamander (*Typhlomolge rathbuni*)

Golden-Cheeked Warbler (*Dendroica chrysoparia*)

Northern Aplomado Falcon (*Falco femoralis septentrionalis*)

Whooping Crane (*Grus americana*)

Attwater's Greater Prairie-Chicken (*Tympanuchus cupido attwateri*)

Black-Capped Vireo (*vireo atricapilla*)

-

Threatened

San Marcos salamander (*Eurycea nana*)

Piping Plover (*Charadrius melodus*)

-

Candidate

Texas Fatmucket (*Lampsilis bracteata*),

Smooth Pimpleback (*Quadrula houstonensis*),

Texas Pimpleback (*Quadrula petrina*),

Texas Fawnsfoot (*Truncilla macrodon*).

Additional information is requested regarding these determinations. First, the project area should be evaluated to determine if suitable habitat is present for the above species. If suitable habitat is present then avoidance and minimization measures should be included to support the determination. Direct and indirect impacts should be described in detail. One example we discussed was the Whooping Crane. If suitable habitat is present or if the species is observed on site, what actions will the facility take to ensure avoidance and protection? How will these actions be documented and enforced. The same goes for all species above.

In Section 4.7, protected species and habitats, Table 4-14, the justification submitted states “the proposed action would not result in measurable or detectable impacts or reach take”. NRC should describe what procedures and/or measures are being taken to insure the proposed action will not result in take.

Provided are additional recommendations for various species.

Houston toad

All projects occurring in Colorado County should be evaluated for potential effects to the endangered Houston toad *Bufo houstonensis*. Recent surveys have indicated the presence of the Houston toad in this county, specifically in woodland areas underlain by pockets of deep sandy soils with pools of water available for breeding. Any work occurring in such areas should be evaluated for potential effects to this species. If suitable habitat is present, a qualified individual should conduct surveys to determine whether a listed species is present. The Service’s recommended survey methodology (attachment 1) is enclosed for your use. The breeding season for the Houston toad is January 1 through June 1 and any surveys should correspond with this timeframe in order to obtain an accurate determination regarding the presence or absence of this species within your project area.

Whooping Crane

Whooping Crane numbers are increasing and the drought has changed some of their movement. The Cranes are documented in places where they have not historically occurred (example Granger Lake, Williamson County). The Service recommends the below measures be implemented to avoid or minimize potential impacts.

- Schedule work, within the Whooping Crane migration corridor, outside Whooping Crane migrating seasons (normally between March 25 and April 15). See Figure 1, Whooping Crane migration corridor.
 - Consider additional measures, such as adding bird diverters, to reduce impacts along transmission lines.
 - If it is necessary to perform maintenance work during the migrating season biological monitors may be recommended.
 - If using equipment over 15 ft high, lower overnight or mark with diverters.
 - Educate staff on the Whooping Crane, status, identification, and habitats.
 - In any areas where maintenance is being conducted and Whooping Cranes are sited within 1000 feet cease work and notify the Service of the occurrence.
- Please refer to the additional Whooping Crane guidance in the Service's June 2, 2011 letter (attachment 2, Appendix D in the GDEIS).

Freshwater mussels

Several candidate species of freshwater mussels may have the potential to occur within your project area. Candidate species are those being considered for possible listing pursuant to the ESA. While these species are not legally-protected under to the ESA, the Service provides information on these species for consideration in your environmental review process and to encourage efforts to avoid adverse impacts to these species. Attachment 3 details best management practices for use during maintenance activities in the project area and along transmission corridors.

Additional species

Additional information regarding survey protocols and listed species can be found on the Service's website; http://www.fws.gov/southwest/es/ES_Lists_Main.cfm

At your earliest convenience, the Service would like to meet or tele-conference with the NRC to discuss our letters dated June 2, 2011 and February 21, 2013 and continue the informal consultation between our two agencies to minimize and reduce impacts to listed species. If you have any question please contact Moni Belton at 281/286/8282, extension 223. Please refer to consultation number 02ETCL00-2013-I-0068. We look forward to meeting with you in the near future.

Thank you, Moni Belton

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Moni Belton

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Attch 1 Houston Toad Survey_Requirements.pdf		29057
Attch 3_ BMP for river, streams or tributary impacts.pdf		20969
Figure 1 Whooping Crane Corridor.pdf		52448
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United States Fish and Wildlife Service
Section 10(a)(1)(A) Scientific Permit Requirements
For Conducting Houston Toad Presence/Absence Surveys

U.S. Fish and Wildlife Service, Austin Ecological Services Field Office
10711 Burnet Road, Suite 200, Austin, Texas
(512) 490-0057

This document provides guidance on when you might be at risk of “taking” a Houston toad while conducting presence/absence surveys and when it is advisable to have a Section 10(a)(1)(A) permit issued by the Service under the Endangered Species Act of 1973, as amended (Act) to be covered for “take.” The ultimate decision to apply for a permit is yours. Individuals engaged in activities that have the potential to “take” listed species are responsible for determining whether the likelihood of “take” is great enough to need a section 10(a)(1)(A) permit (see *When a Section 10(a)(1)(A) Scientific Permit is Needed* below for the definition of “take”).

If you choose to apply for a permit, this document outlines the U.S. Fish and Wildlife Service’s (Service) process and requirements for conducting presence/absence surveys for federally-listed endangered, Houston toad as conditions of holding a section 10(a)(1)(A) permit. Section 10(a)(1)(A) permits, also referred to as recovery, enhancement of survival, or scientific permits, allow for “take” of listed species that may or will occur while conducting research to further the recovery of a listed species (see *When a Section 10(a)(1)(A) Scientific Permit is Needed* below). This document outlines methods to be used and information to be included in annual reports for a section 10(a)(1)(A) permit.

The objective of this document is to identify survey methods that will produce sound scientific information upon which to base decisions and actions for the conservation of the Houston toad. Using consistent survey methodology will also allow for greater comparison and analysis of results, and thereby increase our understanding of this species and its habitat requirements. Please note, this document supersedes any previous guidance from the Austin Ecological Services Office on conducting presence/absence surveys for the federally endangered Houston toad. Information that relates to the effectiveness of these survey guidelines in conserving the Houston toad is welcome. We will consider modifications of, or alternatives to, these methods and qualifications on a case-by-case basis.

When a Section 10(a)(1)(A) Scientific Permit is Needed

Collecting endangered species is a form of “take” and therefore, is prohibited under section 9 of the Endangered Species Act of 1973, as amended, unless the “take” is covered under a Section 10(a)(1)(A) scientific permit. “Take” is defined as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” In addition to collecting, forms of “take” that could occur in the process of conducting Houston toad surveys include crushing individuals; compaction of

habitat and oviposition sites; disturbance of cover objects; harm or harassment that may occur with the introduction into the environment of noise, light, chemicals, and biological substances, and possibly other actions that would cause individuals to flee, seek shelter, or alter or cease normal foraging, anti-predation, or reproductive behavior. For information on how to apply for a 10(a)(1)(A) permit, contact the Region 2 Permits Office at (505)-248-6663 or access the application form directly at <http://www.fws.gov/forms/3-200-55.pdf>.

Requirements for Conducting Presence/Absence Surveys for the Houston Toad

Sampling Diligence and Thoroughness

To ensure adequate coverage of a project area, a system of grids or transects, with listening stations separated by 1/4 mile or less, should be established throughout all areas (where access is allowed) that support suitable Houston toad habitat.

Surveyors should be familiar with anuran calls and taxonomy, and should be able to independently recognize the Houston toad call. Surveyors should possess a tape/digital recorded call of the Houston toad for reference.

Surveyors should be careful to avoid disturbing toads when approaching a suspected breeding site (for example, surveyors should avoid bright lights and noise). Assuming no disturbance has occurred, surveyors should spend at least five minutes at each listening stop, under quiet conditions. If no toads are heard during that time, a visual search for toads should be made if access to the chorus site is available.

Each suspected Houston toad breeding site where Houston toads are not heard chorusing should be inspected for egg strands, tadpoles, and toadlets.

A tape or digital recording of the Houston toad call should be used to try to elicit Houston toad chorusing at each suspected Houston toad breeding site if Houston toads are not heard chorusing during the initial five minute listening period.

Number of Sampling Occasions

Surveyors are required to conduct a minimum of six visits to each five minute listening post during one breeding season to infer absence of the Houston toad from a site. However, available information indicates that 12 visits to a five minute listening post during one breeding season may be necessary to provide a reasonable probability of detecting Houston toads when the species is actually present at a location (Jackson et al 2006). If surveyors make less than 12 visits to each listening post during one breeding season, an explanation should be provided in the annual report as to how or why their number of visits was chosen.

A minimum of three years of surveys may be necessary to infer the absence of Houston toads from a site, depending on annual weather conditions and toad activity.

Suitable Sampling Conditions

Ideally, the survey effort should be spread out over the peak of the breeding season (February-April).

Surveys shall be conducted when temperatures are found to be at or above 57 degrees Fahrenheit.

Surveys may also be conducted when moisture-laden Pacific fronts occur that bring rain but do not lower air temperatures below 57 degrees Fahrenheit.

Surveys may begin about 30 minutes after sundown and should end if, and when, a significant drop in temperature occurs.

In addition to temperatures above 57 degrees Fahrenheit, other weather conditions that may stimulate Houston toad chorusing may include:

- humidity greater than 70 percent,
- cloud cover present or moon not full, and
- rainfall or recent rainfall (occurring within the previous 24 hours).

To maximize the surveyor's hearing ability, surveys should be conducted when wind speeds are less than 15 miles per hour.

Reporting

Annual reports are **required** by all section 10(a)(1)(A) permittees. Survey reports must include the following information:

Personnel

- Names of all persons involved in the surveys and their duties
- The section 10(a)(1)(A) scientific report number under which work was conducted
- Person(s) directly responsible for writing the report

Location

- Locations of suspected breeding sites surveyed and the property boundaries on either a U.S. Geological Survey quad map (7.5 minute or larger scale) or, if possible, in a GIS (Geographic Information System) layer with georeferenced survey location data (using global positioning system (GPS)), including references, such as road names and political boundaries
- General description of the geology, soils, vegetation, and land use of each area surveyed

Weather Conditions

- Documentation of weather data (including copies of monthly weather summaries obtainable from the State Climatologist or local weather stations for each survey conducted)
- Recorded data on air temperature (to the nearest one degree Fahrenheit), humidity (to the nearest one percent), precipitation, wind speed, cloud cover, and moon phase at the suspected breeding sites for each survey night conducted

Methods

- Survey methodology descriptions using standards consistent with a scientific, peer-reviewed publication
- Dates and times of each survey conducted
- Number of visits made to each five minute listening post and an explanation as to how or why this number of visits was chosen, if sites were visited less than 12 times
- Documentation that Houston toad call tapes were played at sites where Houston toads were not detected

Survey Results

- Both **positive and negative survey results** for each survey conducted on each survey route in each survey area on a map or in a GIS layer, as described above
- Locations of potential or known breeding sites (water features) surveyed on a map or in a GIS layer, as described above
- Approximate number of Houston toads detected at each survey site
- Notable observations of habitat conditions at potential or known breeding sites
- Notable observations on Houston toad behavior when surveyed

Literature Cited

Jackson, J.T., F.W. Weckerly, T.M. Swannack, M.R.J. Forstner. 2006. Inferring absence of Houston toads given imperfect detection probabilities. *Journal of Wildlife Management* 70: 1461-1463.

BEST MANAGEMENT PRACTICES FOR PROJECTS AFFECTING RIVERS, STREAMS AND TRIBUTARIES

The project crosses or potentially affects river, stream or tributary aquatic habitat. Therefore the Service recommends implementing the following applicable Best Management Practices:

1. Construct stream crossings during a period of low streamflow (e.g., July - September);
2. Cross streams, stream banks and riparian zones at right angles and at gentle slopes;
3. When feasible, directionally bore under stream channels;
4. Disturb riparian and floodplain vegetation only when necessary;
5. Construction equipment should cross the stream at one confined location over an existing bridge, equipment pads, clean temporary native rock fill, or over a temporary portable bridge;
6. Limit in-stream equipment use to that needed to construct crossings;
7. Place trench spoil at least 25 feet away landward from streambanks;
8. Use sediment filter devices to prevent movement of spoil off right-of-way when standing or flowing water is present;
9. Trench de-watering, as necessary, should be conducted to prevent discharge of silt laden water into the stream channel;
10. Maintain the current contours of the bank and channel bottom;
11. Do not store hazardous materials, chemicals, fuels, lubricating oils, and other such substances within 100 feet of streambanks;
12. Refuel construction equipment at least 100 feet from streambanks;
13. Revegetate all disturbed areas as soon as possible after construction to prevent unnecessary soil erosion. Use only native riparian plants to help prevent the spread of exotics;
14. Maintain sediment filters at the base of all slopes located adjacent to the streams until right-of-way vegetation becomes established;
15. Maintain a vegetative filtration strip adjacent to streams and wetlands. The width of a filter strip is based on the slope of the banks and the width of the stream. Guidance to determine the appropriate filter strip (stream management zone, SMZ) width is provided below; and
16. Direct water runoff into vegetated areas.

SMZ widths should consider watershed characteristics, risk of erosion, soil type, and stream width. SMZ widths are measured from the top of each bank and established on each side of the stream. Erosion risk is increased with sandy soil, steep slopes, large watersheds and increasing stream widths. Recommended primary and secondary SMZ widths are provided in the table below.

Stream Width (Feet)	Slope (Percent)	Primary SMZ (Feet)	Secondary SMZ (Feet)
<20	<7	35	0
<20	7-20	35	50
<20	>20	Top of slope or 150	75
20-50	<7	50	0
20-50	7-20	50	50
20-50	>20	Top of slope or 150	75
>50	<7	Width of stream or 100 max.	0
>50	7-20	Width of stream or 100 max.	50
>50	>20	Top of slope or 150	75

Reference

Arkansas Forestry Commission. 2001. Draft Arkansas Forestry Best Management Practices for Water Quality Protection.

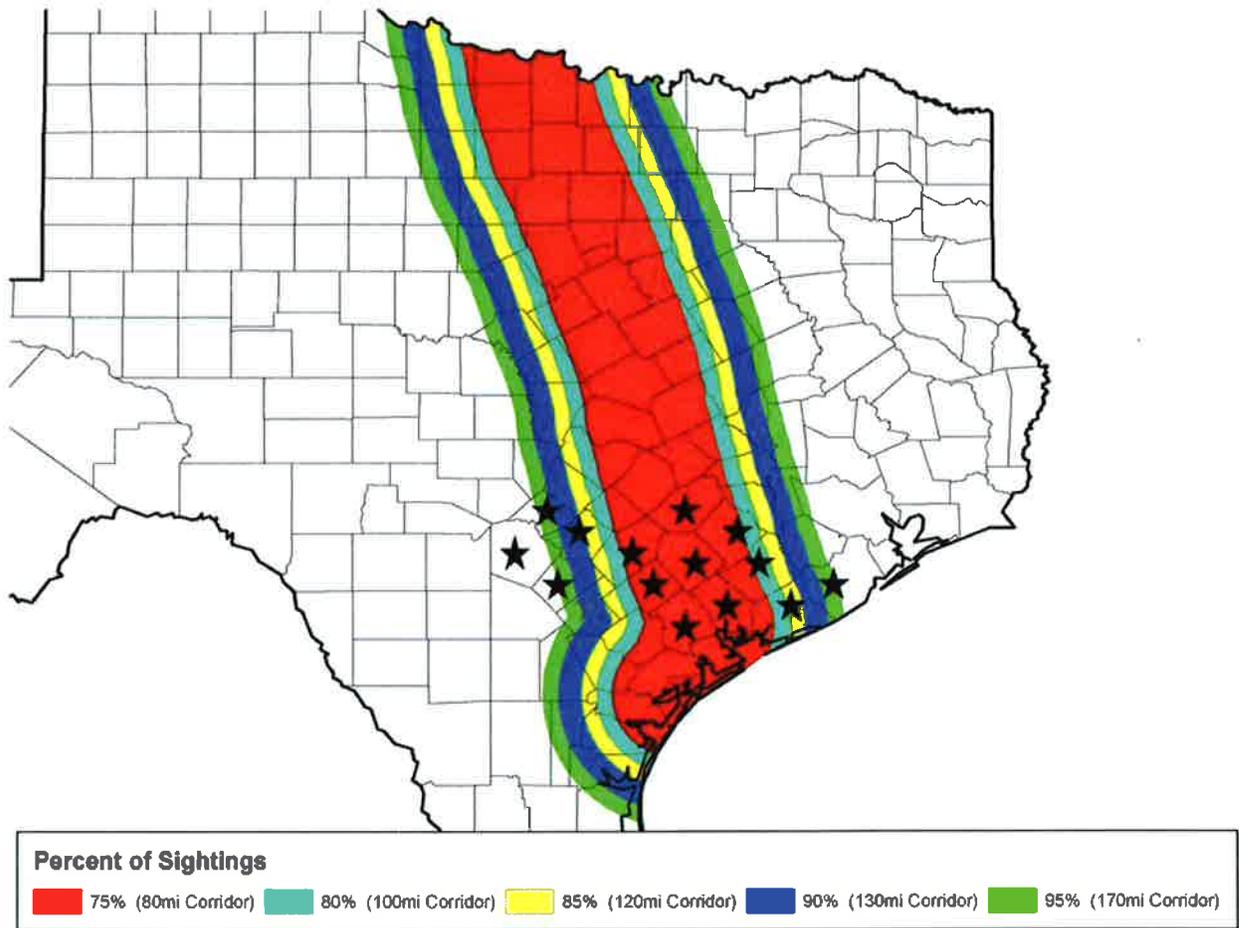


Figure 1. Whooping Crane Migratory Corridor



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
c/o TAMU-CC, Campus Box 338
6300 Ocean Drive
Corpus Christi, Texas 78412

June 2, 2011

Mr. Tam Tran
License Renewal Project Manager
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Consultation No. 21430-2007-I-0082

Dear Mr. Tran:

Thank you for your June 1, 2011, telephone call regarding the South Texas Project Nuclear Operating Company's (STPNOC) operating license renewal application for Units 1 and 2 in Matagorda County, Texas. The nuclear plant, Units 1 and 2, and 9 associated 345-kV transmission lines that cross an additional 14 counties current exist are in operation. The facility applied for a renewal in October 2010, and has requested an additional 20 years beyond the initial 40-year licensing period. No new discharge or construction is proposed and the Nuclear Regulatory Commission is in the process of preparing a supplemental Environmental Impact Statement and submitted a species list for the U.S. Fish and Wildlife Service's (Service) review and concurrence.

The Service has reviewed and corrected the list (see enclosed list) and provides the following additional comments. The STPNOC is located in Matagorda County; however, the transmission lines traverse a total of 15 counties. The 15 counties are within three Service Field Offices' areas of responsibility. The Clear Lake Field Office will be the lead office because the plant is located in Matagorda County; however, for any future potential expansions, construction of new transmission lines and/or maintenance and improvements to existing lines please contact the following offices for counties within their area of responsibility.

Clear Lake Ecological Services Field Office - Matagorda, Brazoria, Wharton, Fayette, Colorado
Corpus Christi Ecological Field Office - Victoria, Jackson, DeWitt, Karnes, Wilson, Gonzales, Lavaca
Austin Ecological Services Field Office - Guadalupe, Bexar, Comal
Phone numbers for the respective offices are as follows: 281-286-8282, 361-994-9005, 512-490-0057.

Additional recommendations are also provided for various species.

Whooping crane

All 15 counties are within the whooping crane migratory corridor and some are in the critical wintering grounds of the endangered whooping crane (*Grus americana*) (see Figure 1). Whooping cranes use a variety of habitats including marsh, tidal flats, uplands, and barrier islands and roost in waters less than 10 inches. Whooping cranes usually arrive on the Texas coast between late-October and mid-November and spend almost six months on the wintering grounds. As spring approaches, they leave for the breeding grounds in Canada normally between March 25 and April 15 with the last birds usually gone by May 1st (occasional stragglers may stay into mid-May).

Usually, whooping crane migration flights are generally at altitudes of between 1,000 and 6,000 feet, but they fly at lower altitudes when seeking stopover habitats. They will often make low flights up to two miles from a stopover site to forage late in the day or in early morning. They may also interrupt migration flights to drink and/or forage in agricultural fields or wetlands for brief periods and may be at low altitudes during mid-day. Whooping cranes are largely opportunistic in their use of stopover sites along the Central Flyway, and will use sites with available habitat when weather or diurnal conditions require a break in migration. The Service recommends that: 1) project construction should be complete prior to the spring and autumn migration of late March to early May and mid-September to mid-November, respectively and 2) if equipment above 15 feet is proposed for use during construction or maintenance, please mark and/or tie cranes/equipment down during night time hours and periods of low visibility and 3) for all existing and future transmission lines we recommend the lines be marked with bird diverters to minimize impacts to whooping cranes from collisions during flight.

Ocelot and Gulf coast jaguarundi

Clearing/removal of the surrounding vegetation may particularly affect listed species in the area, including the ocelot and the Gulf coast jaguarundi. Both these endangered cats require dense brush cover; however information from Mexico indicates that the jaguarundi may be more tolerant of open areas. In Texas, the ocelots occur in dense shrubland. Although the ocelot's prime habitat needs are 70 to 90% canopy coverage, it will utilize a lesser degree of cover for hunting areas, and as protected corridors for travel. Roads, narrow water bodies, and rights-of-way, brushy fencelines, watercourses and other brush strips connecting areas of habitat are important for the ocelot. Any cat sightings and road mortalities should be reported immediately to the Service. Both the ocelot and Gulf coast jaguarundi are crepuscular and are active/travel during the dawn to dusk hours; noise and bright lighting used for night construction could dissuade these cats in their movements and should not be used. When assessing impacts to cats the project should be evaluated for loss of habitat, loss of connectivity, construction noise and lights during construction and/or operation.

Bald eagle

The bald eagle has been removed from the Federal Endangered and Threatened list (rule effective August 8, 2007). However, protections provided to the bald eagle under the Bald and Golden Eagle Protection (BGEPA) and the Migratory Bird Treaty Act (MBTA) will continue to remain in place after the species is delisted. Both Federal laws prohibit "take," and the BGEPA prohibits disturbance as a form of "take" as well. To help provide more clarity on the management of the bald eagle after delisting, the Service published a regulatory definition of "disturb" (72 FR 31132), and the Final National Bald Eagle Management Guidelines (72 FR 31156). The management guidelines and further information on the bald eagle may be viewed at <http://www.fws.gov>. The bald eagle may occur in Colorado, Brazoria, Matagorda, Wharton, Fayette, Victoria, Jackson, DeWitt, Gonzales, Guadalupe, Lavaca, and Comal counties.

Migratory Birds

The Migratory Bird Treaty Act implements various treaties and conventions for the protection of migratory birds. Under the Act, taking, killing or possessing migratory birds is unlawful. Many may nest in trees, brush areas or other suitable habitat. The Service recommends activities requiring vegetation removal or disturbance avoid the peak nesting period of March through August to avoid destruction of individuals, nests or eggs. If project activities must be conducted during this time, we recommend surveying for nests prior to commencing work. If a nest is found, and if possible, the Service recommends a buffer of vegetation (= 50m for songbirds, > 100m for wading birds, and > 180m for terns, skimmers and birds of prey) remain around the nest until young have fledged or the nest is

abandoned. A list of migratory birds may be viewed at <http://migratorybirds.fws.gov/intrnltr/mbta/proposedbirdlist.pdf> or <http://federalregister.gov/a/2010-3294>.

Under the Migratory Bird Treaty Act (MBTA) it is unlawful to "pursue, hunt, take, capture, kill, attempt to take, capture or kill, possess, at any time, or in any manner, any migratory bird (e.g. waterfowl, shorebirds, birds of prey, song birds, etc.) included in the terms of this Convention...for the protection of migratory birds...or any part, nest, or egg of any such bird." Section 1.1307(a)(3) of the Commission's Rules requires a licensee to file an environmental assessment (EA) for the Commission's review and approval if a licensee's proposed facilities are to be located in an area that: (i) may affect listed threatened or endangered species or designated critical habitats; or (ii) are likely to jeopardize the continued existence of any proposed endangered or threatened species or likely to result in the destruction or adverse modification of proposed critical habitats, as determined by the Secretary of the Interior pursuant to the Endangered Species Act of 1973. See 47 C.F.R. 1.1307(a)(3).

Brown Pelican

The brown pelican has been removed from the threatened and endangered list (rule effective December 17, 2009), however, is being monitored for 5 years. It is protected under the Migratory Bird Treaty Act and may occur in Brazoria and Matagorda counties.

Mountain Plover and Black Bear

The mountain plover is not longer being proposed as threatened and the black bear is not found within any of the counties under review.

State Listed Species

The State of Texas protects certain species. Please contact the Texas Parks and Wildlife Department (Endangered Resources Branch), 4200 Smith School Road, Austin, Texas 78744 (telephone 512/389-8021) for information concerning fish, wildlife, and plants of State concern or visit their website at <http://www.tpwd.state.tx.us/nature/endang/animals/mammals/>.

Wetlands and Wildlife Habitat

Wetlands and riparian zones provide valuable fish and wildlife habitat as well as contribute to flood control, water quality enhancement, and groundwater recharge. Wetland and riparian vegetation provides food and cover for wildlife, stabilizes banks and decreases soil erosion. These areas are inherently dynamic and very sensitive to changes caused by such activities as overgrazing, logging, major construction, or earth disturbance. Executive Order 11990 asserts that each agency shall provide leadership and take action to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial value of wetlands in carrying out the agency's responsibilities. Construction activities near riparian zones should be carefully designed to minimize impacts. If vegetation clearing is needed in these riparian areas, as is true with this project, they should be re-vegetated with native wetland and riparian vegetation to prevent erosion or loss of habitat. We recommend minimizing the area of soil scarification and initiating incremental re-establishment of herbaceous vegetation at the proposed work sites. Denuded and/or disturbed areas should be re-vegetated with a mixture of native legumes and grasses. Species commonly used for soil stabilization are listed in the Texas Department of Agriculture's (TDA) Native Tree and Plant Directory, available from TDA at P.O. Box 12847, Austin, Texas 78711. To prevent and/or minimize soil erosion and compaction associated with construction activities, avoid any unnecessary clearing of vegetation, and follow established rights-of-way whenever possible. All machinery and petroleum products should be

stored outside the floodplain and/or wetland area during construction to prevent possible contamination of water and soils. No permanent structures should be placed in the 100-year floodplain.

If your project will involve filling of a wetland or riparian area it may require a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers. For permitting requirements please contact the U.S. Corps of Engineers, District Engineer, P.O. Box 1229, Galveston, Texas 77553-1229, (409) 766-3002.

Beneficial Landscaping

In accordance with Executive Order 13112 on Invasive Species and the Executive Memorandum on Beneficial Landscaping, where possible, any landscaping associated with project plans should be limited to seeding and replanting with native species. A mixture of grasses and forbs appropriate to address potential erosion problems and long-term cover should be planted when seed is reasonably available. Although Bermuda grass is listed in seed mixtures, this species and other introduced species should be avoided as much as possible. The Service also recommends the use of native trees, shrubs, and herbaceous species that are adaptable, drought tolerant and conserve water.

Service Response

Please note that the Service strives to respond to requests for project review within 30 days of receipt, however, this time period is not mandated by regulation. Responses may be delayed due to workload and lack of staff. Failure to meet the 30-day timeframe does not constitute a concurrence from the Service that the proposed project will not have impacts to threatened and endangered species.

We thank you for your concern for endangered and threatened species, migratory birds, and other wildlife resources, and we appreciate the opportunity to comment and review the proposed action and species list. If we can be of further assistance or if you have any questions about these comments, please contact Mary Orms at 361/994-9005, extension 246 or at Mary_Orms@fws.gov. Please refer to the Service Consultation number listed above in any future correspondence regarding this project.

Sincerely,


for Allan M. Strand
Field Supervisor

cc: Moni Belton, Clear Lake Ecological Services Field Office, Houston, TX
Bill Scawell, Austin Ecological Services Field Office, Austin, TX

Attachments