APPENDIX M

Threatened and Endangered Species

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Virginia Field Office
6669 Short Lane
Gloucester, VA 23061

Date: 11/28/2018

Self-Certification Letter

Project Name: Potomac Yard Metrorail Station

Dear Applicant:

Thank you for using the U.S. Fish and Wildlife Service (Service) Virginia Ecological Services online project review process. By printing this letter in conjunction with your project review package, you are certifying that you have completed the online project review process for the project named above in accordance with all instructions provided, using the best available information to reach your conclusions. This letter, and the enclosed project review package, completes the review of your project in accordance with the Endangered Species Act of 1973 (16 U.S.C. . 1531-1544, 87 Stat. 884), as amended (ESA), and the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c, 54 Stat. 250), as amended (Eagle Act). This letter also provides information for your project review under the National Environmental Policy Act of 1969 (P.L. 91-190, 42 U.S.C. 4321-4347, 83 Stat. 852), as amended. A copy of this letter and the project review package must be submitted to this office for this certification to be valid. This letter and the project review package will be maintained in our records.

The species conclusions table in the enclosed project review package summarizes your ESA and Eagle Act conclusions. These conclusions resulted in:

- "no effect" determinations for proposed/listed species and/or proposed/designated critical habitat; and/or
- "may affect, not likely to adversely affect" determinations for proposed/listed species and/or proposed/designated critical habitat; and/or
- "may affect, likely to adversely affect" determination for the Northern long-eared bat (*Myotis septentrionalis*) and relying on the findings of the January 5, 2016 Programmatic Biological Opinion for the Final 4(d) Rule on the Northern long-eared bat; and/or
- "no Eagle Act permit required" determinations for eagles.

We certify that use of the online project review process in strict accordance with the instructions provided as documented in the enclosed project review package results in reaching the appropriate determinations. Therefore, we concur with the “no effect” or “not likely to adversely affect” determinations for proposed and listed species and proposed and designated critical habitat; the “may affect” determination for Northern long-eared bat; and/or the “no Eagle Act permit required” determinations for eagles. Additional coordination with this office is not needed.

Candidate species are not legally protected pursuant to the ESA. However, the Service encourages consideration of these species by avoiding adverse impacts to them. Please contact this office for additional coordination if your project action area contains candidate species.

Should project plans change or if additional information on the distribution of proposed or listed species, proposed or designated critical habitat, or bald eagles becomes available, this determination may be reconsidered. This certification letter is valid for 1 year.

Information about the online project review process including instructions and use, species information, and other information regarding project reviews within Virginia is available at our website http://www.fws.gov/northeast/virginiafield/endspecies/project_reviews.html. If you have any questions, please contact Troy Andersen of this office at (804) 824-2428.

Sincerely,

Cindy Schulz
Field Supervisor
Virginia Ecological Services

Enclosures - project review package

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Virginia Ecological Services Field Office
6669 Short Lane
Gloucester, VA 23061-4410
Phone: (804) 693-6694 Fax: (804) 693-9032
http://www.fws.gov/northeast/virginiafield/

In Reply Refer To: November 28, 2018
Consultation Code: 05E2VA00-2019-SLI-0969
Event Code: 05E2VA00-2019-E-02201
Project Name: Potomac Yard Metrorail Station

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). Any activity proposed on National Wildlife Refuge lands must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered

species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Virginia Ecological Services Field Office
6669 Short Lane
Gloucester, VA 23061-4410
(804) 693-6694

Project Summary

Consultation Code: 05E2VA00-2019-SLI-0969

Event Code: 05E2VA00-2019-E-02201

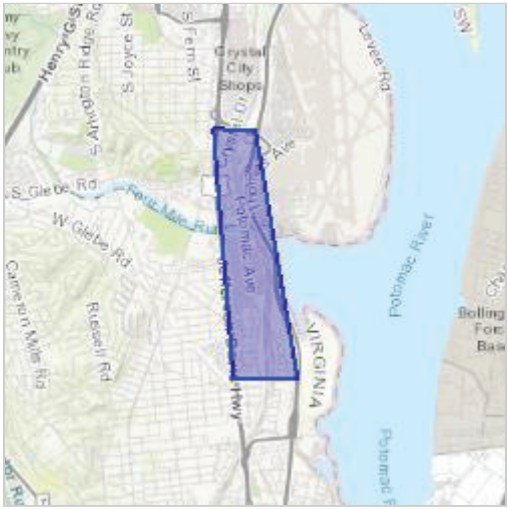
Project Name: Potomac Yard Metrorail Station

Project Type: TRANSPORTATION

Project Description: The project consists of a new metro station on the Blue and Yellow line in Alexandria.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/38.83841639613965N77.04888241897066W



Counties: Alexandria, VA | Arlington, VA

Endangered Species Act Species

There is a total of 0 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

VaFWIS Search Report Compiled on 11/28/2018, 10:39:35 AM

Help

Known or likely to occur within a **2 mile radius around point 38,50,10.3 -77,02,54.5** in **013 Arlington County, 510 Alexandria City, VA**

View Map of Site Location

582 Known or Likely Species ordered by Status Concern for Conservation (displaying first 24) (24 species with Status* or Tier I** or Tier II**)

BOVA Code	Status*	Tier**	Common Name	Scientific Name	Confirmed	Database(s)
010032	FESE	Ib	Sturgeon, Atlantic	Acipenser oxyrinchus		BOVA
050022	FTST	Ia	Bat, northern long-eared	Myotis septentrionalis		BOVA
050020	SE	Ia	Bat, little brown	Myotis lucifugus		BOVA,HU6
050027	SE	Ia	Bat, tri-colored	Perimyotis subflavus		BOVA
060006	SE	Ib	Floater, brook	Alasmidonta varicosa		BOVA
030062	ST	Ia	Turtle, wood	Glyptemys insculpta		BOVA,HU6
040293	ST	Ia	Shrike, loggerhead	Lanius ludovicianus		BOVA
100155	ST	Ia	Skipper, Appalachian grizzled	Pyrgus wyandot		BOVA,HU6
040292	ST		Shrike, migrant loggerhead	Lanius ludovicianus migrans		BOVA
030063	CC	IIIa	Turtle, spotted	Clemmys guttata	Yes	BOVA,SppObs,HU6
030012	CC	IVa	Rattlesnake, timber	Crotalus horridus		BOVA
040040		Ia	Ibis, glossy	Plegadis falcinellus		HU6
100248		Ia	Fritillary, regal	Speyeria idalia idalia		BOVA,HU6
040213		Ic	Owl, northern saw-whet	Aegolius acadicus		HU6
040052		IIa	Duck, American black	Anas rubripes	Potential	BOVA,BBA,HU6
040036		IIa	Night-heron, yellow-crowned	Nyctanassa violacea violacea		BOVA
040181		IIa	Tern, common	Sterna hirundo		BOVA,HU6
040320		IIa	Warbler, cerulean	Setophaga cerulea		BOVA,HU6
040140		IIa	Woodcock, American	Scolopax minor		BOVA,HU6
040203		IIb	Cuckoo, black-billed	Coccyzus erythropthalmus		BOVA
040105		IIb	Rail, king	Rallus elegans	Potential	BOVA,Habitat,HU6
040304		IIc	Warbler, Swainson's	Limnothlypis swainsonii		HU6
070020		IIc	Amphipod, Pizzini's	Stygobromus pizzinii		HU6

100154		IIc	Butterfly, Persius duskywing	Erynnis persius persius		BOVA,HU6

To view **All 582 species** View 582

*FE=Federal Endangered; FT=Federal Threatened; SE=State Endangered; ST=State Threatened; FP=Federal Proposed; FC=Federal Candidate; CC=Collection Concern

**I=VA Wildlife Action Plan - Tier I - Critical Conservation Need; II=VA Wildlife Action Plan - Tier II - Very High Conservation Need; III=VA Wildlife Action Plan - Tier III - High Conservation Need;
IV=VA Wildlife Action Plan - Tier IV - Moderate Conservation Need
Virginia Widlife Action Plan Conservation Opportunity Ranking:
a - On the ground management strategies/actions exist and can be feasibly implemented.;
b - On the ground actions or research needs have been identified but cannot feasibly be implemented at this time.;
c - No on the ground actions or research needs have been identified or all identified conservation opportunities have been exhausted.

View Map of All Query Results from All Observation Tables

Bat Colonies or Hibernacula: **Not Known**

Anadromous Fish Use Streams (2 records)

View Map of All Anadromous Fish Use Streams

Stream ID	Stream Name	Reach Status	Anadromous Fish Species			View Map
			Different Species	Highest TE*	Highest Tier**	
C25	Fourmile run	Confirmed	2			Yes
C64	Potomac river	Confirmed	6		IV	Yes

Impediments to Fish Passage

N/A

Colonial Water Bird Survey

N/A

Threatened and Endangered Waters

N/A

Managed Trout Streams

N/A

Bald Eagle Concentration Areas and Roosts

N/A

Bald Eagle Nests

N/A

Species Observations (53 records - displaying first 20 , 1 Observation with Threatened or Endangered species)

View Map of All Query Results Species Observations

obsID	class	Date Observed	Observer	N Species			View Map
				Different Species	Highest TE*	Highest Tier**	
365017	SppObs	Jan 1 1900		3	SS	III	Yes
623248	SppObs	Oct 7 2014	Richard; Browder| Gabriel; Darkwah| Meghan; Bandura| Ken	9		III	Yes
305871	SppObs	May 19 2004	Mike Mangold (Principle Permittee), U. S. F. W. S	4		III	Yes
307634	SppObs	May 19 2004	Mike Mangold (Principle Permittee), U. S. F. W. S	4		III	Yes
301157	SppObs	May 29 2003	Mike Mangold (Principle Permittee), U. S. F. W. S	13		III	Yes
16433	SppObs	Aug 22 1978	VIMS-B-194	10		III	Yes
336463	SppObs	Jan 1 1978	VIMS-B-VA. INST. MARINE SCI.	11		III	Yes
614202	SppObs	Jul 5 2011	Nico; Dauphine	1		IV	Yes
614201	SppObs	Jun 25 2011	Nico; Dauphine	1		IV	Yes
614200	SppObs	Jun 10 2011	Nico; Dauphine	1		IV	Yes
614199	SppObs	Jun 1 2011	Nico; Dauphine	1		IV	Yes
614197	SppObs	May 25 2011	Nico; Dauphine	1		IV	Yes
301189	SppObs	Oct 14 2003	Mike Mangold (Principle Permittee), U. S. F. W. S	11		IV	Yes
301176	SppObs	Aug 13 2003	Mike Mangold (Principle Permittee), U. S. F. W. S	12		IV	Yes
301169	SppObs	Jul 15 2003	Mike Mangold (Principle Permittee), U. S. F. W. S	13		IV	Yes
301144	SppObs	May 1 2003	Mike Mangold (Principle Permittee), U. S. F. W. S	12		IV	Yes

16432	SppObs	Aug 22 1978	VIMS-B-193	7		IV	Yes
16434	SppObs	Aug 22 1978	VIMS-B-195	9		IV	Yes
336464	SppObs	Jan 1 1978	VIMS-B-VA. INST. MARINE SCI.	10		IV	Yes
365047	SppObs	Jan 1 1900		1		IV	Yes

Displayed 20 Species Observations

Selected 53 Observations View all 53 Species Observations

Habitat Predicted for Aquatic WAP Tier I & II Species

N/A

Habitat Predicted for Terrestrial WAP Tier I & II Species (2 Species)

View Map of Combined Terrestrial Habitat Predicted for 2 WAP Tier I & II Species Listed Below

ordered by Status Concern for Conservation

BOVA Code	Status*	Tier**	Common Name	Scientific Name	View Map
040105		IIb	Rail, king	Rallus elegans	Yes
040038			Bittern, American	Botaurus lentiginosus	Yes

Virginia Breeding Bird Atlas Blocks (4 records)

View Map of All Query Results Virginia Breeding Bird Atlas Blocks

BBA ID	Atlas Quadrangle Block Name	Breeding Bird Atlas Species			View Map
		Different Species	Highest TE*	Highest Tier**	
54194	Alexandria, CE	49		II	Yes
54193	Alexandria, CW	27		IV	Yes
54192	Alexandria, NE	32		II	Yes
54191	Alexandria, NW	58		III	Yes

Public Holdings: (1 names)

Name	Agency	Level
George Washington Memorial National Parkway	National Park Service	Federal

Summary of BOVA Species Associated with Cities and Counties of the Commonwealth of Virginia:

FIPS Code	City and County Name	Different Species	Highest TE	Highest Tier
013	Arlington	458	FESE	I
510	Alexandria City	475	FESE	I

USGS 7.5' Quadrangles:
Alexandria

USGS NRCS Watersheds in Virginia:

N/A

USGS National 6th Order Watersheds Summary of Wildlife Action Plan Tier I, II, III, and IV Species:

HU6 Code	USGS 6th Order Hydrologic Unit	Different Species	Highest TE	Highest Tier
PL24	Potomac River-Pimmit Run	68	SE	I
PL25	Potomac River-Fourmile Run	67	ST	I
PL26	Cameron Run	69	ST	I

Compiled on 11/28/2018, 10:39:35 AM I946282.0 report=all searchType= R dist= 3218.688 poi= 38,50,10.3 -77,02,54.5

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Natural Heritage Resources

Your Criteria

Taxonomic Group: Select All

Global Conservation Status Rank: Select All

State Conservation Status Rank: Select All

Federal Legal Status: Select All

State Legal Status: Select All

County: Alexandria (City)

Physiographic Province: Northern Coastal Plain

Watershed (8 digit HUC): 02070010 - Middle Potomac-Anacostia-Occoquan

Subwatershed (12 digit HUC): PL25 - Potomac River (MD)-Fourmile Run

Planning District: Northern Virginia

Virginia Coastal Zone: Yes

Search Run: 11/27/2018 15:45:38 PM

Result Summary

Total Species returned: 1

Total Communities returned: 0

Click scientific names below to go to NatureServe report.

Click column headings for an explanation of species and community ranks.

Common Name/Natural Community	Scientific Name	Global Conservation Status Rank	State Conservation Status Rank	Federal Legal Status	State Legal Status	Statewide Occurrences	Virginia Coastal Zone
Alexandria (City)							
Northern Coastal Plain							
Middle Potomac-Anacostia-Occoquan							
Potomac River (MD)-Fourmile Run							
Northern Virginia							
REPTILES							
Wood Turtle	Glyptemys insculpta	G3	S2	None	LT	47	Y

Note: On-line queries provide basic information from DCR's databases at the time of the request. They are NOT to be substituted for a project review or for on-site surveys required for environmental assessments of specific project areas.

For Additional Information on locations of Natural Heritage Resources please submit an information request.

To Contribute information on locations of natural heritage resources, please fill out and submit a rare species sighting form.

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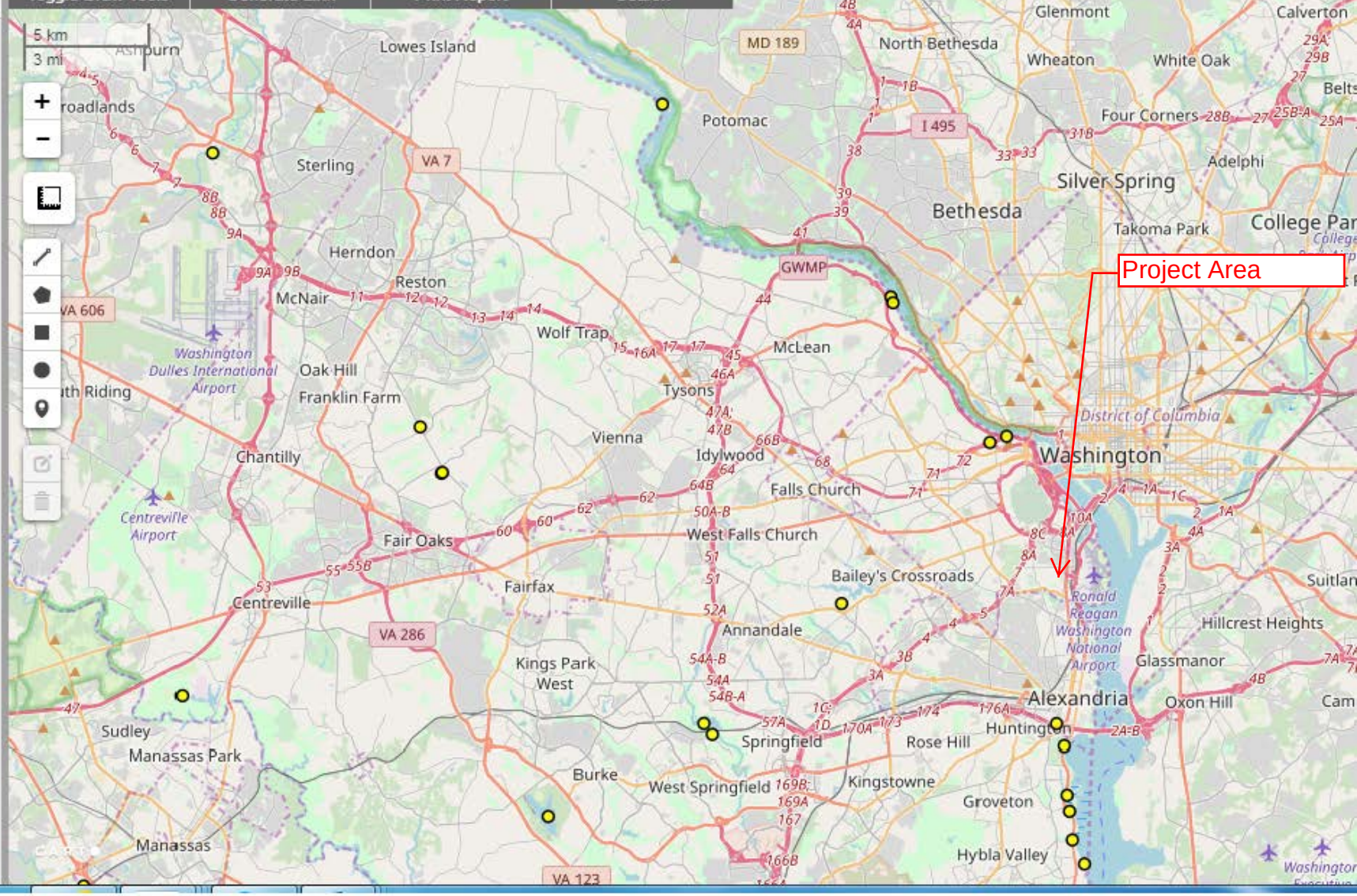
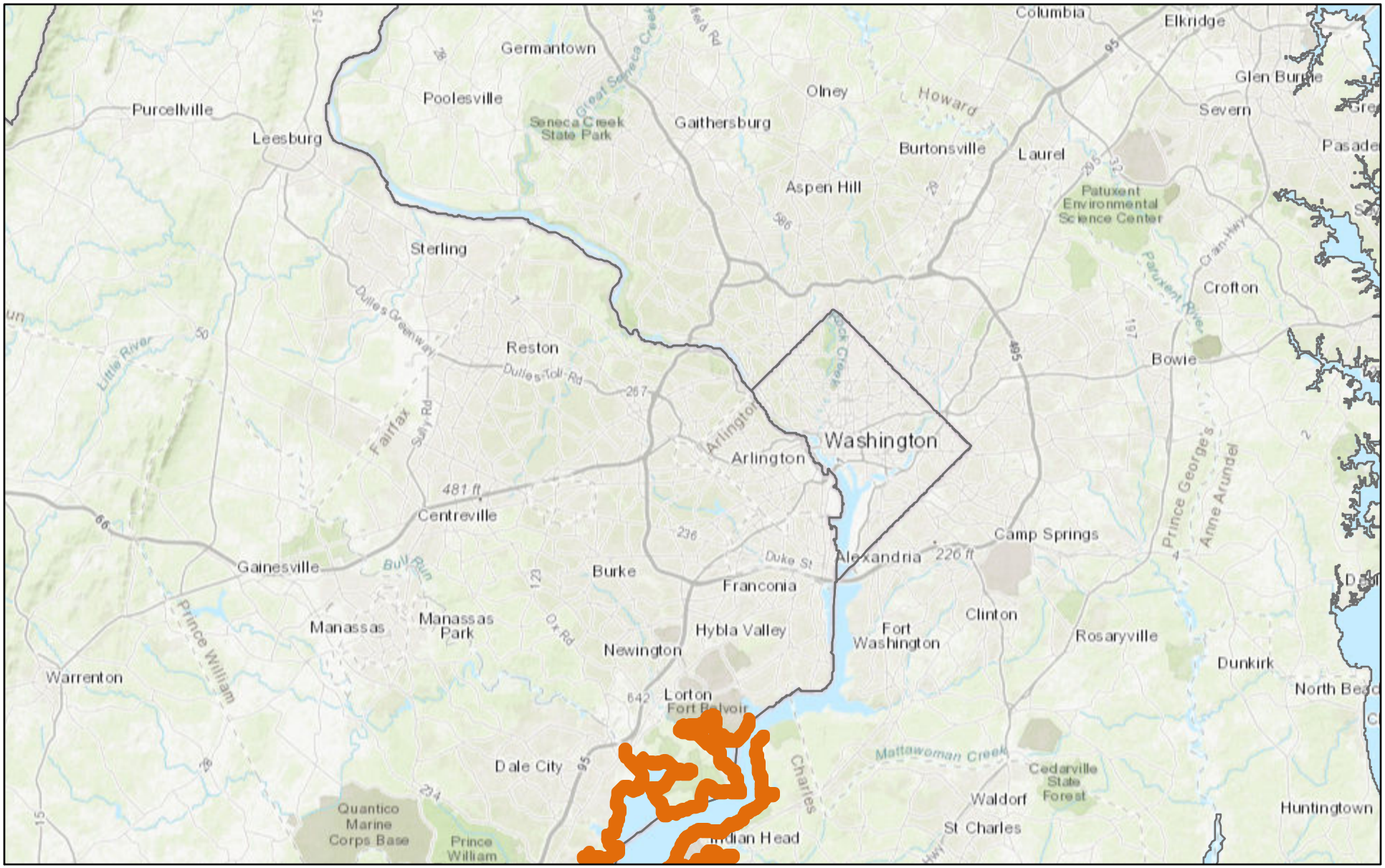


Potomac Yard Metrorail Station



November 28, 2018

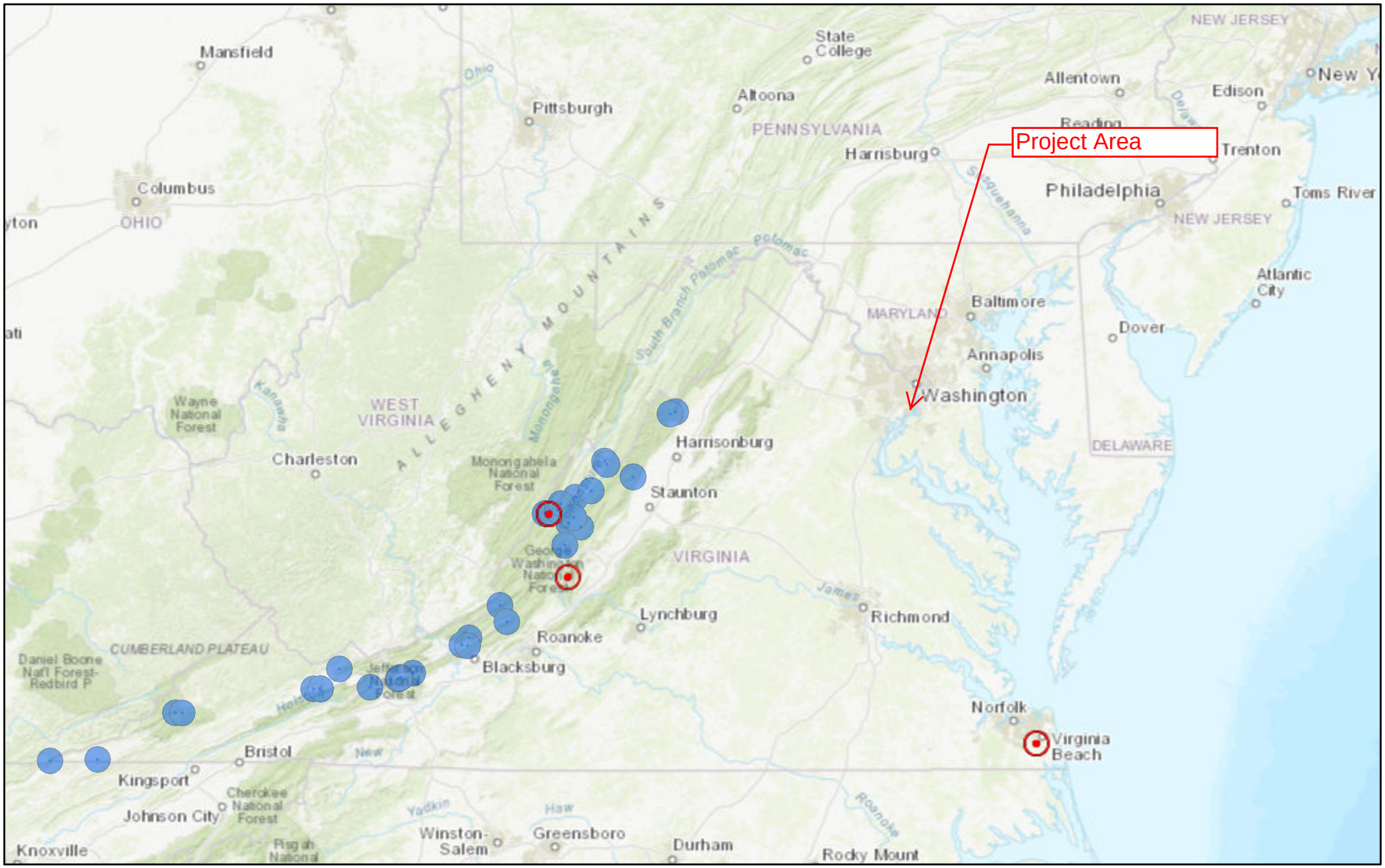
1:577,791

0 3.75 7.5 15 mi

0 5 10 20 km

Esri, HERE, Garmin, USGS, NGA, EPA, USDA, NPS

NLEB Locations and Roost Trees



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NLEB Known Occupied Maternity Roost (Summer Habitat)

NLEB Hibernaculum 5.5 Mile Buffer

NLEB Hibernaculum Half Mile Buffer

1:4,622,324

0 30 60 120 mi

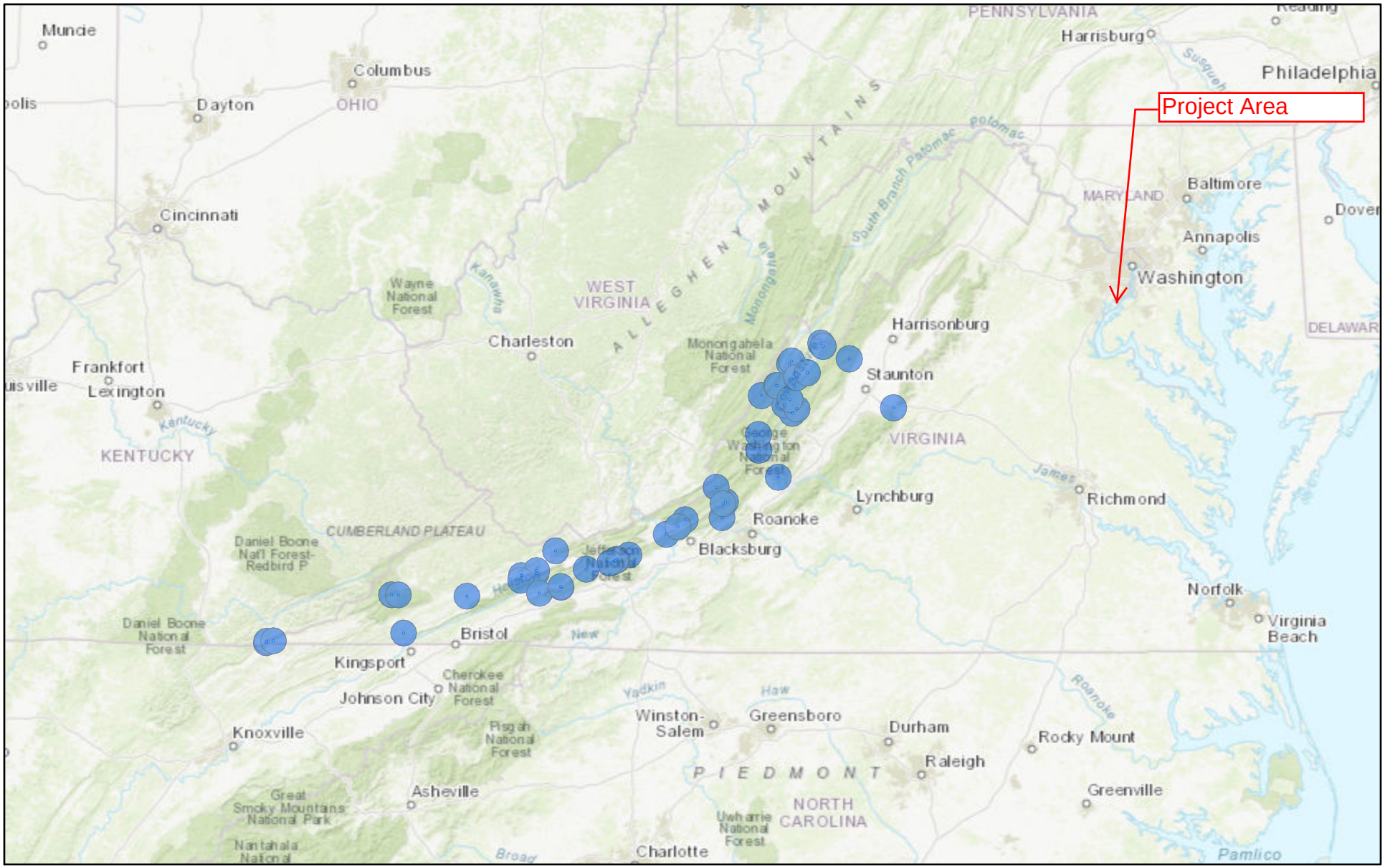
0 45 90 180 km

Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS

VA Dept. Game & Inland Fisheries

Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS |

Tri-colored and Little Brown Bat Locations and Roost Trees



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Tri-colored and Little Brown Hibernaculum Half Mile Buffer

Tri-colored and Little Brown Hibernaculum 5.5 Mile Buffer

1:4,622,324

0 30 60 120 mi

0 50 100 200 km

Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS

Dept. Game and Inland Fisheries

Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS |

Species Conclusions Table

Project Name: Potomac Yard Metrorail Station

Date: 11/28/2018

Species / Resource Name	Conclusion	ESA Section 7 / Eagle Act Determination	Notes / Documentation
ESA listed species	Species not present	No effect	
Critical habitat	No critical habitat present	No effect	
Bald eagle	Unlikely to disturb nesting bald eagles, does not intersect with an eagle concentration area	No Eagle Act permit required	No nests within 660' and not within a concentration area.