

Species Conclusions Table

Project Manager: Steven VanderPloeg	Project Name: James River Water Authority
Date: March 25, 2020	Project Number: NAO-2014-00708

Project Description: The project will install a raw water transmission line and intake structure into the James River. The line will also cross the Rivanna River and will be performed using open cut method. Per the VMRC permit a mussel survey will be required in the Rivanna and the James River prior to the beginning of the project. If any listed species are found then formal consultation will be initiated. Time of year restrictions for in stream work are already being required by VMRC between April 15 - July 31, August 15 - September 30, and a time of year restriction for anadromous fish is being enforced from March 15 - June 30. Construction activities within the confines of a cofferdam are excluded from TOYR, but cofferdams must be constructed/deconstructed outside of the Time of year restriction.

Species Under the Jurisdiction of FWS:

Species/Resource Name	Conclusion	ESA Section 7 / Eagle Act Determination	Species Info / Habitat Description	Notes / Determination
Northern long-eared bat (Myotis septentrionalis)	NLEB: Applying the 4(d) Rule; excepted from take	May affect	<p>"Northern long-eared bats spend winter hibernating in caves and mines, called hibernacula. They typically use large caves or mines with large passages and entrances; constant temperatures; and high humidity with no air currents. Specific areas where they hibernate have very high humidity, so much so that droplets of water are often seen on their fur. Within hibernacula, surveyors find them in small crevices or cracks, often with only the nose and ears visible.</p> <p>During summer, northern long-eared bats roost singly or in colonies underneath bark, in cavities, or in crevices of both live and dead trees. Males and non-reproductive females may also roost in cooler places, like caves and mines. This bat seems opportunistic in selecting roosts, using tree species based on suitability to retain bark or provide cavities or crevices. It has also been found, rarely, roosting in structures like barns and sheds."</p>	tree clearing will be taking place. The project area is approximately 11 acres however most of the work is occurring in an existing power line or gas line right of way. The project will have a total of approximately 4 acres of total tree clearing

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James Spiny mussel (Pleurobema collina)	No suitable habitat present	No effect	<p>"This freshwater mussel is found in the upper James and Dan River basins. The species has declined rapidly during the past two decades and now exists only in small, headwater tributaries of the upper James River basin in Virginia and West Virginia. In 2000, it was discovered in the Dan River basin in North Carolina and Virginia."</p> <p>"Suitable habitat for this species includes free-flowing streams with a variety of flow regimes. The James spiny mussel is found in a variety of substrates that are free from silt."</p>	This area of the James has a large amount of bed rock and silty substrate.
Atlantic pigtoe (Fusconaia masoni)	No suitable habitat present	No effect	<p>The preferred habitat of the Atlantic pigtoe is coarse sand and gravel, and rarely in silt and detritus. Historically, the best populations existed in small creeks to larger rivers with excellent water quality, where flows were sufficient to maintain clean, silt-free substrates. This species originally ranged from the James and Chowan River basins in Virginia, the Roanoke, Tar, Neuse, Cape Fear, Pee Dee, and Catawba River basins in North Carolina, the Edisto River Basin in South Carolina, and the Savannah, Ogeechee, and Altamaha River basins in Georgia.</p>	This area of the James has a large amount of bed rock and silty substrate.
Eagles (Haliaeetus leucocephalus)				
Eagle Nests	Unlikely to disturb nesting bald eagles	No Eagle Act permit required		

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	Does not intersect with bald eagle concentration area	No Eagle Act permit required		
Eagle Concentration Areas				
Critical Habitat				
	No critical habitat present			
Species Under the Jurisdiction of NMFS				
NOAA Fisheries				
Other (species not listed above)				