



Protected Species Assessment  
Fairfield I-77 Development  
Ridgeway, Fairfield Co., SC  
S&ME Project No. 210730A

PREPARED FOR:

**Luck Companies**  
**Post Office Box 29682**  
**Richmond, VA 23242**

PREPARED BY:

**S&ME, Inc.**  
**134 Suber Road**  
**Columbia, SC 29210**

**February 19, 2021**



February 19, 2021

Luck Companies  
Post Office Box 29682  
Richmond, Virginia 23242

Attention: Mr. Bruce Smith  
[brucesmith@luckcompanies.com](mailto:brucesmith@luckcompanies.com)

Reference: **Protected Species Assessment  
Fairfield I-77 Development**  
Ridgeway, Fairfield County, South Carolina  
S&ME Project No. 210730A

Dear Mr. Smith:

S&ME, Inc. (S&ME) is pleased to submit our Protected Species Assessment for the above-referenced project located in Fairfield County, South Carolina. This work was performed in general accordance with S&ME Proposal Number 210730, dated February 1, 2021, and our Agreement for Services.

S&ME appreciates the opportunity to be of service to you by performing this Protected Species Assessment for this project. Please contact us at (803) 561-9024 with questions regarding this report or if you require additional information.

Sincerely,

**S&ME, Inc.**

A handwritten signature in black ink that reads "James Trotter".

James Trotter  
Biologist  
[jtrotter@smeinc.com](mailto:jtrotter@smeinc.com)

A handwritten signature in black ink that reads "Chris Daves".

Chris Daves, P.W.S.  
Senior Scientist  
[cdaves@smeinc.com](mailto:cdaves@smeinc.com)



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## 1.0 Project Background

This Protected Species Assessment has been conducted to assess the potential for the presence of protected species on the site in preparation for proposed development. The site is being proposed for future mining/quarry operations. S&ME is requesting the technical assistance (in the form of a written Response Letter) of the U.S. Fish and Wildlife Service (USFWS) as to whether site development would likely result in “take” as defined under Section 9 of the Endangered Species Act (ESA).

The approximate 416.76-acre site is located west of I-77 and north of SC Highway 34 near Ridgeway, Fairfield County, South Carolina as shown on **Exhibits 1-3** in **Appendix I**.

## 2.0 Site and Habitat Descriptions

The site is located in southeastern Fairfield County within the Southern Outer Piedmont/Piedmont ecoregion of South Carolina. The site consists of planted pine stands, mixed hardwoods, pine-mixed hardwoods, cutover land, secondary growth/scrub land, and aquatic features (wetlands and tributaries). The properties adjacent to the site consist of forestland, rural residential parcels, and an industrial beverage facility (Breakthru Beverage South Carolina). Please refer to **Exhibit 3** and the site photographs in **Appendix I** for depictions of the predominant habitat types located on the site.

### 2.1 Planted Pines

Planted pine stands were observed throughout the site (Photographs 1-2). The pine stands observed were approximately 20-25 years in age and averaged approximately 60 feet in height. Average diameter-at-breast-height (DBH) was eight to 14 inches. The dominant overstory species was loblolly pine (*Pinus taeda*). The understory included sweet gum (*Liquidambar styraciflua*) and eastern red cedar (*Juniperus virginiana*). Woody vine and ground cover species included roundleaf greenbrier (*Smilax rotundifolia*), muscadine (*Vitis rotundifolia*), and yellow jessamine (*Gelsemium sempervirens*).

### 2.2 Mixed Hardwoods

Mixed hardwood forestland was observed throughout the site (Photograph 3). Dominant overstory species included red maple (*Acer rubrum*), southern red oak (*Quercus falcata*), American beech (*Fagus grandifolia*), and white oak (*Q. alba*). Understory species included those of the canopy dominants and sweet gum. Woody vine and ground cover species included spotted wintergreen (*Chimaphila maculata*).

### 2.3 Pine-Mixed Hardwoods

Pine-mixed hardwood forestland was observed in scattered locations throughout the site (Photograph 4). Dominant overstory species included loblolly, red maple, sweet gum, and American beech. Understory species included those of the canopy dominants and American holly (*Ilex opaca*). Woody vine and ground cover species included muscadine, slender wood oats (*Chasmanthium laxum*), , and Christmas fern (*Polystichum acrostichoides*).



## 2.4 Secondary Growth/Shrub Land

Secondary growth/shrub land was observed on the southeastern portion of the site (Photograph 5). Dominant shrub species included sweet gum, southern red oak, water oak, and eastern red cedar. Woody vine and groundcover species included yellow jessamine.

## 2.5 Cut-over Land

Cutover land was observed in several locations throughout the site (Photograph 6). Dominant understory species included saplings and shrubs of sweet gum, black cherry (*Prunus serotina*), southern red oak, water oak, and loblolly pine. Woody vine and groundcover species included dog fennel (*Eupatorium capillifolium*), broomsedge (*Andropogon virginicus*), plantain (*Plantago* spp.), and bull thistle (*Cirsium horridulum*).

## 2.6 Aquatic Features

The site contained numerous aquatic features including wetlands and tributaries (Photographs 7-12). Forested wetlands were observed near the various tributaries on the site and are best described as riparian and headwater wetlands.

Dominant overstory species observed in the wetland features included sweet gum, green ash (*Fraxinus pennsylvanica*), and red maple. Understory species consisted of those of the canopy dominants and eastern red cedar. Woody vine and herbaceous species included crossvine (*Bignonia capreolata*), roundleaf greenbrier, wood oats (*Chasmanthium latifolium*), common rush (*Juncus effusus*), Christmas fern, and netted chainfern (*Woodwardia aerolata*).

Perennial and intermittent/seasonal tributaries ranged from two to 15 feet in width and had sandy, gravel, cobble, and boulder substrates. Dominant overstory species observed included white oak, water oak, tulip poplar (*Liriodendron tulipifera*), eastern hophornbeam (*Ostrya virginiana*), and southern red oak. Understory species consisted of those of the canopy dominants and ironwood (*Carpinus caroliniana*), eastern red cedar, American holly, and American beech. Woody vine and groundcover species included slender wood oats, Christmas fern, and Japanese honeysuckle (*Lonicera japonica*).

## 3.0 Methodology

S&ME personnel reviewed the South Carolina Department of Natural Resources (SCDNR) and the USFWS websites to determine those species that are currently listed as federally protected (threatened or endangered) in Fairfield County. The results of this search, including identified protected species and preferred habitat served as the basis of the field review and are presented in **Table 4-1**.

SCDNR maintains a database of elements of occurrence for protected species in the state of South Carolina. A search of this database did not reveal the known presence of federally protected species (occurrences) on or immediately adjacent to the site. Supporting information was researched for the purpose of identifying soil types, vegetative communities, and possible drainage features in the study area. The supporting information reviewed



included aerial photography, topographic quadrangle maps, soil survey sheets, land use information, and data from the National Wetlands Inventory.

S&ME Biologists Chris Daves, P.W.S., Chris Handley, and James Trotter performed the field review on January 29 and February 3, 4, and 5, 2021. The information obtained from supporting documentation was integrated with the field review to identify potential areas of preferred habitat of protected species. Portions of the site that matched descriptions of preferred habitat for protected species listed in **Table 4-1** were considered to be potential habitat for the respective protected species. These areas were subsequently field reviewed to confirm the presence/absence of the respective species.

## 4.0 Federally Protected Species

Descriptions of the species and their respective federal status are identified in **Table 4-1** and in **Appendix II**. The SCDNR and USFWS websites identified the following federally listed species for Fairfield County:

**Table 4-1 Federally Protected Flora and Fauna Summary**

Species	Listing	Habitat
Bald Eagle <i>Haliaeetus leucocephalus</i>	BGEPA	Coastlines, rivers, large lakes which provide adequate feeding grounds.

*BGEPA = Bald and Golden Eagle Protection Act*

### 4.1 Bald Eagle

BIOLOGICAL DETERMINATION: NO EFFECT

This large raptor has characteristic adult plumage consisting of a white head and tail with a dark brown body. Juvenile eagles are completely dark brown and do not fully develop the majestic white head and tail until the fifth or sixth year. Adults average about three feet from head to tail, weigh approximately 10 to 12 pounds and have a wingspread that can reach seven feet. Generally, female bald eagles are larger than the males. The typical nest is constructed of large sticks and is lined with soft materials such as pine needles and grasses. The nests are very large, measuring up to six feet across and weighing hundreds of pounds. Nesting and feeding sites are generally in the vicinity of large bodies of open water (coastlines, rivers, large lakes).

The site does not contain suitable nesting habitat for the bald eagle. There are no coastlines, rivers, or large lakes on or immediately adjacent to the site considered suitable habitat for the bald eagle. No nests or individuals were observed during the field survey. Accordingly, future development of the site is not expected to impact this species.

## 5.0 Qualifications

The field survey was led by Chris Daves and Chris Handley of S&ME. Mr. Daves is a biologist and natural resources project manager with over 20 years of experience in environmental consulting. Mr. Daves is proficient in



conducting wetland delineations, environmental permitting activities, and habitat assessments, including protected species surveys. He is a Professional Wetland Scientist (PWS) and holds a B.S. degree in Biology from Wofford College and a Master's degree in Earth and Environmental Resources Management from the University of South Carolina.

## 6.0 Summary and Conclusions

Based on the literature review, habitat assessment, and pedestrian field review of the site, the following conclusions are given regarding federally listed species in Fairfield County:

- ◆ The site does not provide suitable habitat for the federally listed species in Fairfield County. Our opinion is that proposed development of the site will have *no effect* on the federally listed species in Fairfield County. The site qualifies to use a Clearance Letter for Species and Habitat Assessments (**Appendix IV**) from the USFWS.

No further action is recommended at this time.

## 7.0 References

The following sources were referenced during the course of this assessment:

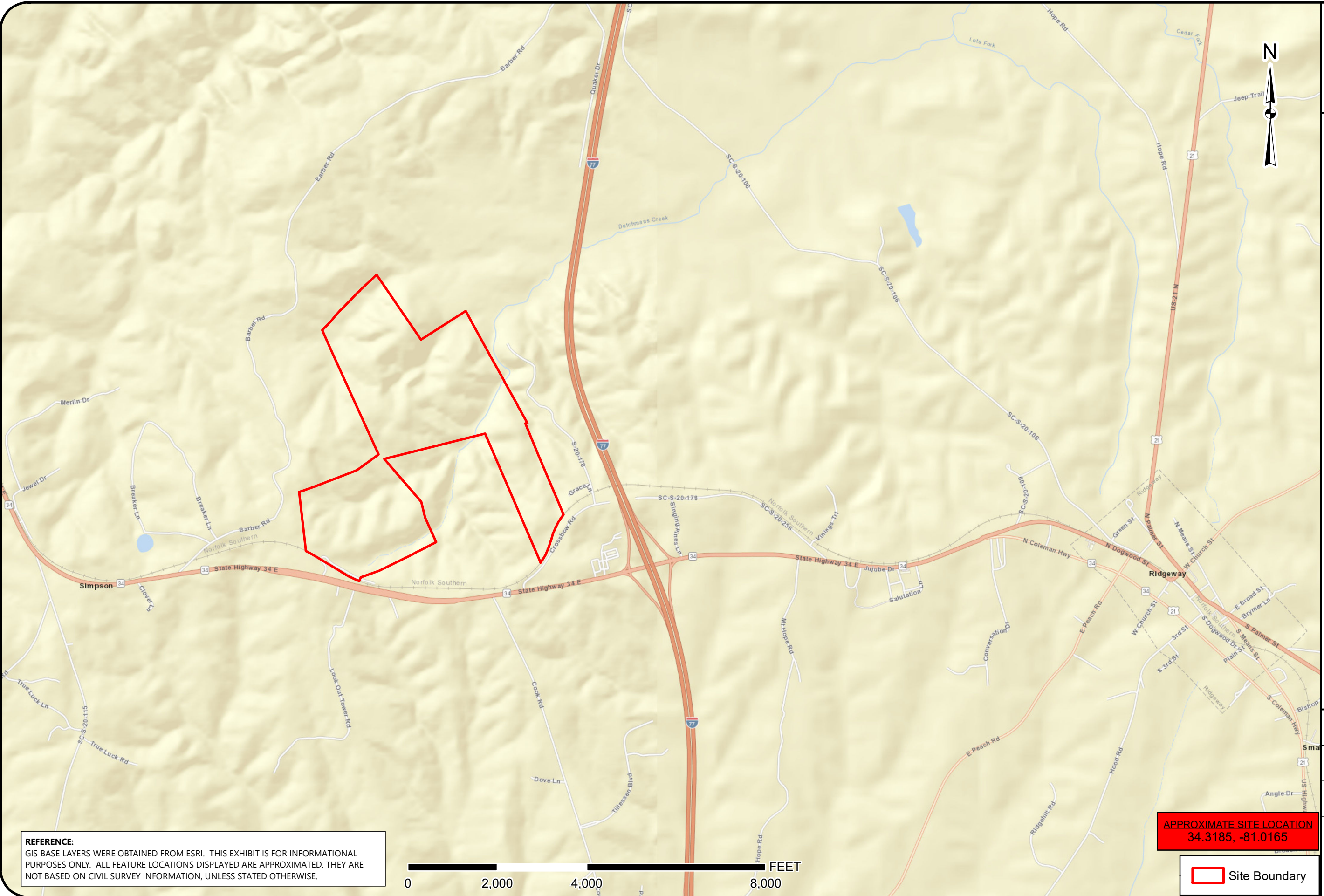
- ◆ SCDNR. 2020. SC Rare, Threatened, and Endangered Species Inventory. <http://www.dnr.sc.gov/species/index.html>.
- ◆ SCDNR. 2020. South Carolina's Bald Eagles – Nest Locations. <http://www.dnr.sc.gov/wildlife/baldeagle/locations.html>.
- ◆ SCDNR. 2021. South Carolina Natural Heritage Program. <https://schtportal.dnr.sc.gov/portal/apps/sites/#/natural-heritage-program>.
- ◆ USFWS. 2021. Information for Planning and Consultation. <https://ecos.fws.gov/ipac/>.
- ◆ USFWS. 2019. Clearance Letter for Species and Habitat Assessments.
- ◆ USFWS. 2020. South Carolina List of At Risk, Candidate, Endangered, and Threatened Species. <https://www.fws.gov/southeast/pdf/fact-sheet/south-carolina-species-list-by-county.pdf>.
- ◆ U.S. Department of Agriculture – Natural Resources Conservation Service Web Soil Survey. 2021. <http://websoilsurvey.nrcs.usda.gov/app/>.

## **Appendices**



## **Appendix I – Exhibits and Site Photographs**

Drawing Path: T:\ENV\Projects\2021\210730A Luck Stone, Fairfield I-77 Development Due Diligence\_Ridgeway SC\GIS\mxd\Fairfield I-77 Development Vicinity Exhibit.mxd plotted by chandley.02-19-2021



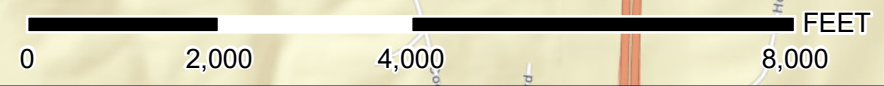
Vicinity Exhibit

Fairfield I-77 Development +/- 416.76 Acres  
Ridgeway, Fairfield County, South Carolina  
World Street Map

SCALE:  
1" = 2,000'  
DATE:  
2-19-21  
PROJECT NUMBER  
210730A  
EXHIBIT NO.

1

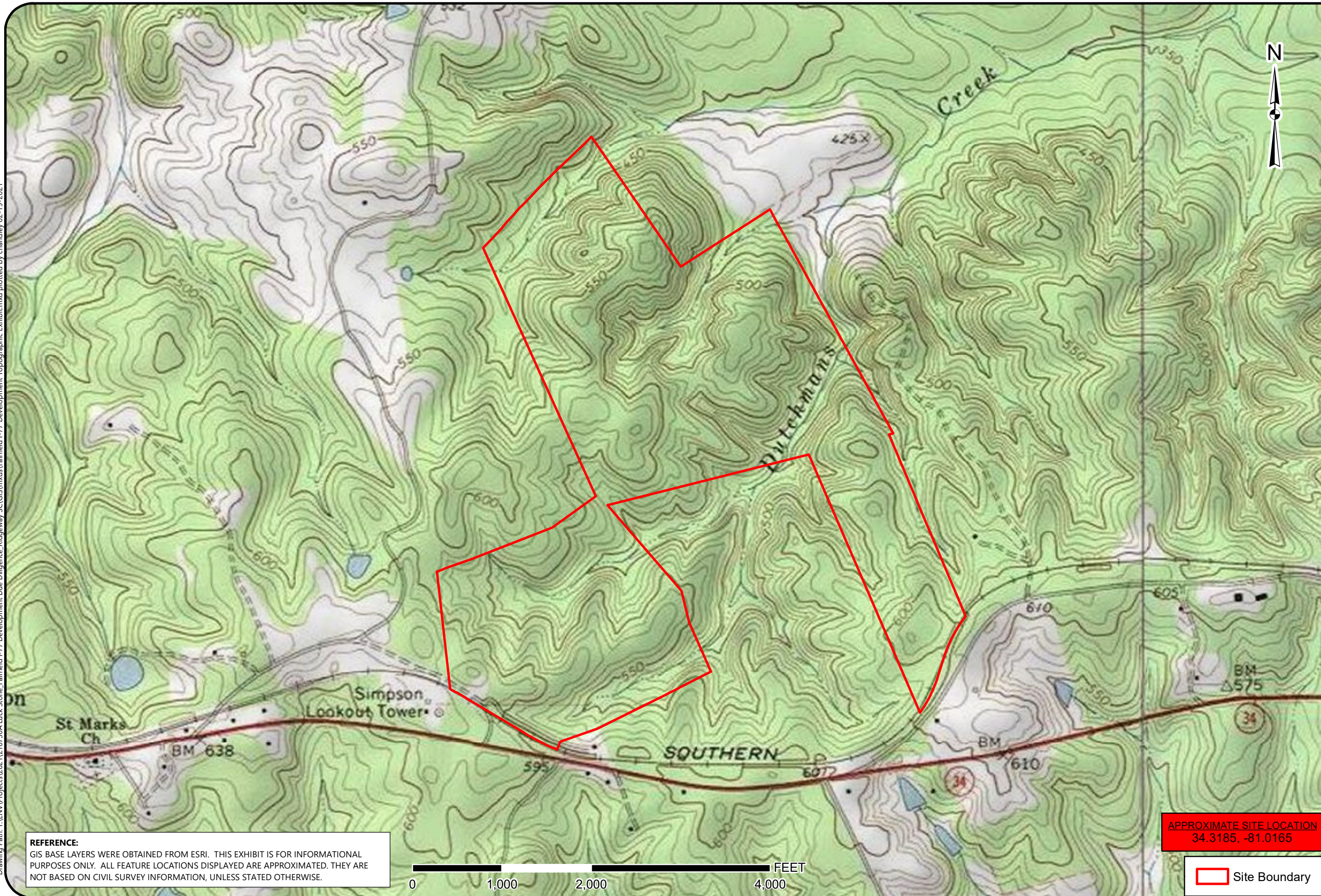
**REFERENCE:**  
GIS BASE LAYERS WERE OBTAINED FROM ESRI. THIS EXHIBIT IS FOR INFORMATIONAL PURPOSES ONLY. ALL FEATURE LOCATIONS DISPLAYED ARE APPROXIMATED. THEY ARE NOT BASED ON CIVIL SURVEY INFORMATION, UNLESS STATED OTHERWISE.



APPROXIMATE SITE LOCATION  
34.3185, -81.0165

Site Boundary

Drawing Path: T:\ENV\Projects\2021\210730A Luck Stone, Fairfield I-77 Development Due Diligence\_Ridgeway SC\GIS\mxd\Fairfield I-77 Development Topographic Exhibit.mxd plotted by chandley 02-19-2021



**Topographic Exhibit**

Fairfield I-77 Development +/- 416.76 Acres  
Ridgeway, Fairfield County, South Carolina  
USGS 7.5-Minute Topo Quad Winnsboro Mills, SC 1969

SCALE:  
1" = 1,000'

DATE:  
2-19-21

PROJECT NUMBER  
210730A

EXHIBIT NO.

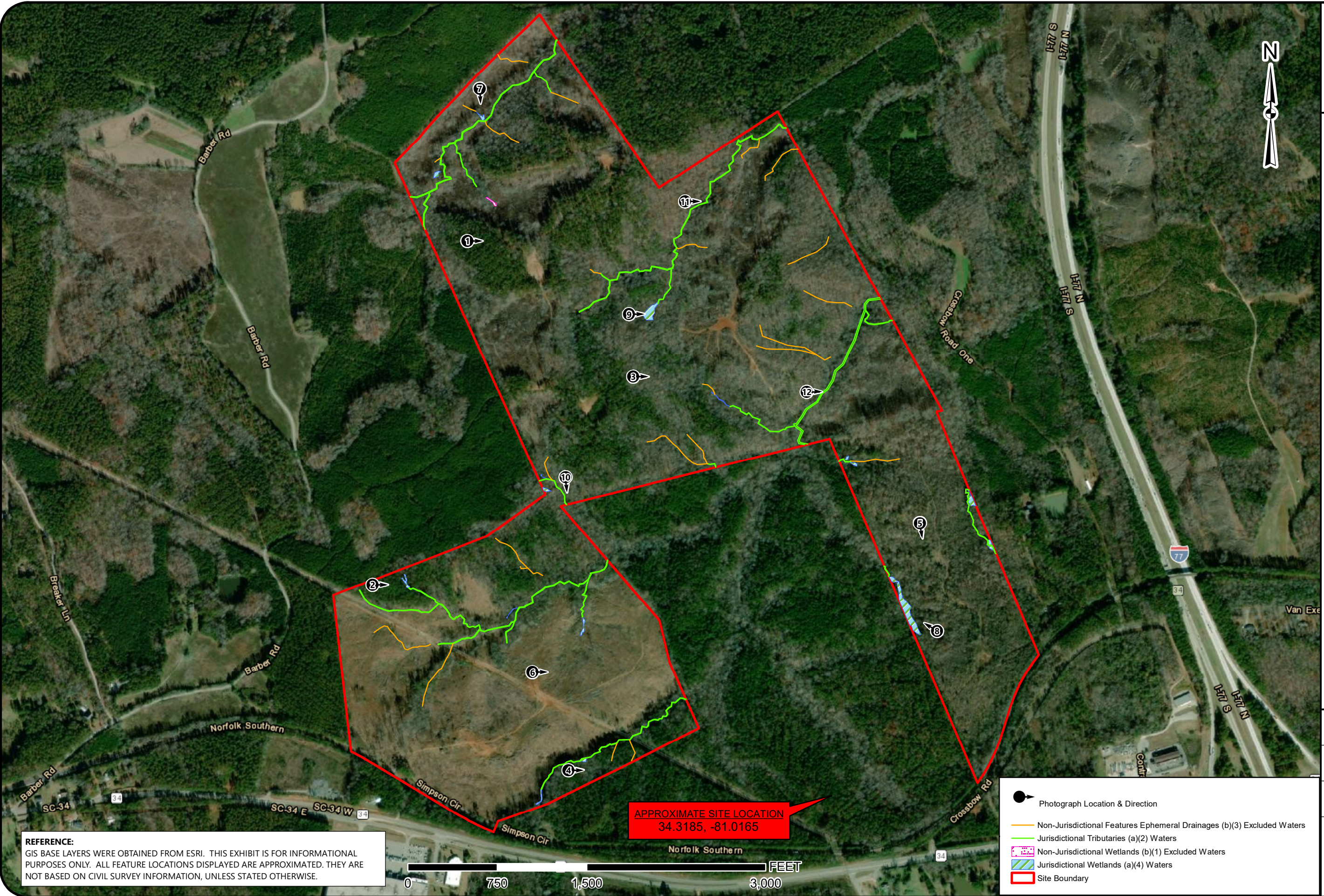
**2**

**REFERENCE:**  
GIS BASE LAYERS WERE OBTAINED FROM ESRI. THIS EXHIBIT IS FOR INFORMATIONAL PURPOSES ONLY. ALL FEATURE LOCATIONS DISPLAYED ARE APPROXIMATED. THEY ARE NOT BASED ON CIVIL SURVEY INFORMATION, UNLESS STATED OTHERWISE.

**APPROXIMATE SITE LOCATION**  
34.3185, -81.0165

 Site Boundary

Drawing Path: T:\ENV\Projects\2021\210730A Luck Stone, Fairfield I-77 Development Due Diligence\_Ridgeway SC\GIS\mxd\Fairfield I-77 Development T&E Aerial Exhibit.mxd plotted by chandley 02-19-2021



**REFERENCE:**  
GIS BASE LAYERS WERE OBTAINED FROM ESRI. THIS EXHIBIT IS FOR INFORMATIONAL PURPOSES ONLY. ALL FEATURE LOCATIONS DISPLAYED ARE APPROXIMATED. THEY ARE NOT BASED ON CIVIL SURVEY INFORMATION, UNLESS STATED OTHERWISE.

- Photograph Location & Direction
- Non-Jurisdictional Features Ephemeral Drainages (b)(3) Excluded Waters
- Jurisdictional Tributaries (a)(2) Waters
- Non-Jurisdictional Wetlands (b)(1) Excluded Waters
- Jurisdictional Wetlands (a)(4) Waters
- Site Boundary



**Aerial Exhibit**

Fairfield I-77 Development +/- 416.76 Acres  
Ridgeway, Fairfield County, South Carolina  
World Imagery 2018

SCALE:  
1" = 750'

DATE:  
2-19-21

PROJECT NUMBER  
210730A

EXHIBIT NO.

**3**



1 Planted pines on northern portion of site.



2 Planted pines located on western portion of site.



3 Mixed hardwoods on central portion of site.



4 Pine-mixed hardwoods on southwestern portion of site.





5 Secondary growth/shrub land on southeastern portion of site.



6 Cutover land on western portion of site.



7 PFO wetland on northern portion of site.



8 PFO headwater wetland on southeastern portion of Property.





**9** PFO headwater wetland on central portion of site.



**10** Seasonal stream located on western portion of site.



**11** Perennial stream located on central portion of site.



**12** Perennial stream (Dutchmans Creek) located on eastern portion of Property.



**Appendix II – County Species Lists from USFWS and SCDNR**



# South Carolina Department of Natural Resources



PO Box 167  
Columbia, SC 29202  
(803) 734-1396  
speciesreview@dnr.sc.gov

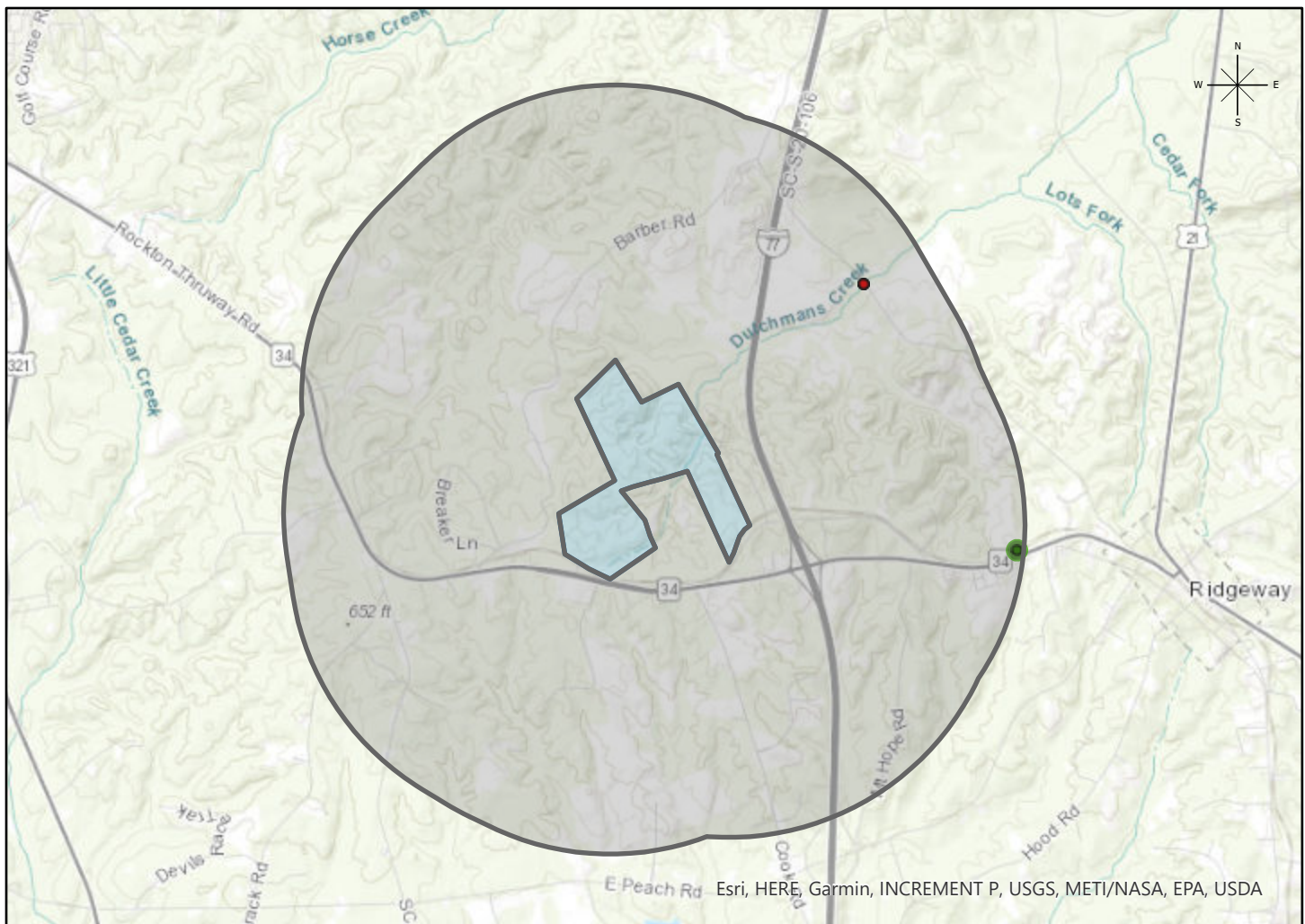
Robert H. Boyles, Jr.  
**Director**

Emily C. Cope  
Deputy Director for  
**Wildlife and Freshwater Fisheries**

*Requested on Friday, February 19, 2021 by Chris Handley.*

Re: Request for Threatened and Endangered Species Consultation  
S&ME - Fairfield I-77 Development  
Mine  
Fairfield County, South Carolina

The South Carolina Department of Natural Resources (SCDNR) has received your request for threatened and endangered species consultation of the above named project in Fairfield County, South Carolina. The following map depicts the project area and a 2 mile buffer surrounding:



0 0.47 0.95 1.9 Miles

# South Carolina Department of Natural Resources

---



Robert H. Boyles, Jr.

**Director**

Emily C. Cope

Deputy Director for

**Wildlife and Freshwater Fisheries**

This report includes the following items:

- A - A report for species which intersect the project area
- B - A report for species which intersect the buffer around the project area
- C - A list of best management practices relevant to species near to or within the project area
- D - A list of best management practices relevant to the project type
- E - Instructions to submit new species observation records to the SC Natural Heritage Program

The technical comments outlined in this report are submitted to speak to the general impacts of the activities as described through inquiry by parties outside the South Carolina Department of Natural Resources. These technical comments are submitted as guidance to be considered and are not submitted as final agency comments that might be related to any unspecified local, state or federal permit, certification or license applications that may be needed by any applicant or their contractors, consultants or agents presently under review or not yet made available for public review. In accordance with its policy 600.01, Comments on Projects Under Department Review, the South Carolina Department of Natural Resources, reserves the right to comment on any permit, certification or license application that may be published by any regulatory agency which may incorporate, directly or by reference, these technical comments.

Interested parties are to understand that SCDNR may provide a final agency position to regulatory agencies if any local, state or federal permit, certification or license applications may be needed by any applicant or their contractors, consultants or agents. For further information regarding comments and input from SCDNR on your project, please contact our Office of Environmental Programs by emailing [environmental@dnr.sc.gov](mailto:environmental@dnr.sc.gov) or by visiting [www.dnr.sc.gov/environmental](http://www.dnr.sc.gov/environmental). Pursuant to Section 7 of the Endangered Species Act, requests for formal letters of concurrence with regards to federally listed species should be directed to the USFWS.

Should you have any questions or need more information, please do not hesitate to contact our office by email at [speciesreview@dnr.sc.gov](mailto:speciesreview@dnr.sc.gov) or by phone at 803-734-1396.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Lemeris, Jr.", written in a cursive style.

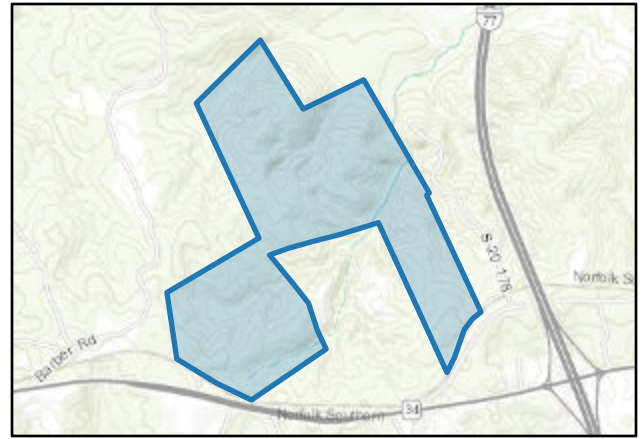
Joseph Lemeris, Jr.  
Heritage Trust Program  
SC Department of Natural Resources

## A. Project Area - Species Report

There are 0 tracked species records found within the project foot print. The following table outlines occurrences found within the project footprint (if any), sorted by listing status and species name. Please keep in mind that this information is derived from existing databases and do not assume that it is complete. Areas not yet inventoried may contain significant species or communities. You can find more information about global and state rank status definitions by visiting Natureserve's web page. Please note that certain sensitive species found on site may be listed in this table but are not represented on the map. Please contact [speciesreview@dnr.sc.gov](mailto:speciesreview@dnr.sc.gov) should you have further questions related to sensitive species found within the project area.



Map Credits: Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA



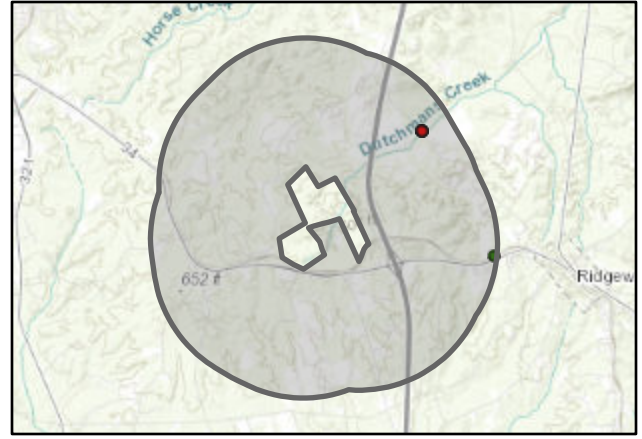
No records for species of concern are found within the project area

## B. Buffer Area - Species Report

The following table outlines rare, threatened or endangered species found within 2 miles of the project footprint, arranged in order of protection status and species name. Please keep in mind that this information is derived from existing databases and do not assume that it is complete. Areas not yet inventoried may contain significant species or communities. You can find more information about global and state rank status definitions by visiting Natureserve's web page. Please note that certain sensitive species found within the buffer area may be listed in this table but are not represented on the map.



Map Credits: Esri, HERE, Garmin, USGS, NGA, EPA, USDA, NPS



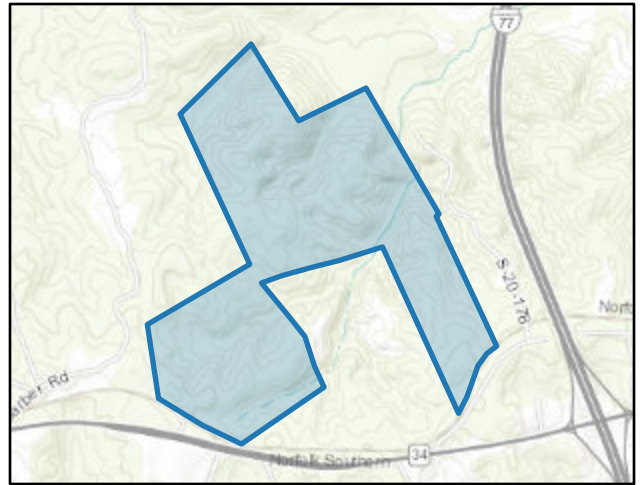
Scientific Name	Common Name	G Rank	S Rank	Fed. Status	State Status	SWAP Priority	Last Obs. Date
<i>Symphyotrichum georgianum</i>	Georgia Aster	G3	S3S4	C: Candidate	Not Applicable	Highest	1993-10-17
<i>Clinostomus funduloides</i>	Rosyside Dace	G5	S4	Not Applicable	Not Applicable	Moderate	2001-03-13
<i>Hybopsis hypsinotus</i>	Highback Chub	G4	S4	Not Applicable	Not Applicable	Moderate	2001-03-13
<i>Notropis altipinnis</i>	Highfin Shiner	G5	S3S4	Not Applicable	Not Applicable	Moderate	2001-03-13
<i>Notropis procne</i>	Swallowtail Shiner	G5	S3S4	Not Applicable	Not Applicable	Moderate	2001-03-13

## C. Species Best Management Practices (1 of 1)

SCDNR offers the following comments and best management practices (BMPs) regarding this project's potential impacts to species of concern which may be found on or near to the project area. Please contact [speciesreview@dnr.sc.gov](mailto:speciesreview@dnr.sc.gov) should you have further questions with regard to survey methods, consultation, or other species-related concerns.



Map Credits: Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA



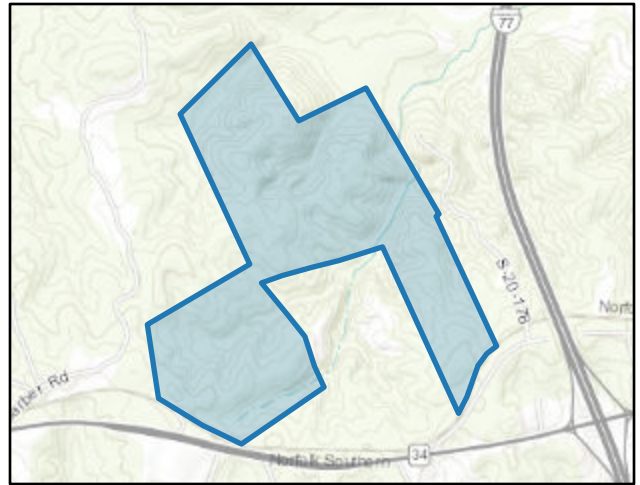
Species in the above table with SWAP priorities of High, Highest or Moderate are designated as having conservation priority under the South Carolina State Wildlife Action Plan (SWAP). SWAP species are those species of greatest conservation need not traditionally covered under any federal funded programs. Species are listed in the SWAP because they are rare or designated as at-risk due to knowledge deficiencies; species common in South Carolina but listed rare or declining elsewhere; or species that serve as indicators of detrimental environmental conditions. SCDNR recommends that appropriate measures should be taken to minimize or avoid impacts to the aforementioned species of concern.

## D. Project Best Management Practices (1 of 2)

SCDNR offers the following comments and best management practices (BMPs) regarding this project's potential impacts to natural resources within or surrounding the project area. Please contact our Office of Environmental Programs at [environmental@dnr.sc.gov](mailto:environmental@dnr.sc.gov) should you have further questions with regard to best management practices related to this project area.



Map Credits: Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA



If this project is associated with the Federal Government and the project area is or once was used as farmland, we recommend that consultation occur with the U.S. Department of Agriculture's Natural Resource Conservation Service (NRCS) per the Farmland Protection Policy Act; areas of the site are classified as prime farmland or farmland of statewide importance.

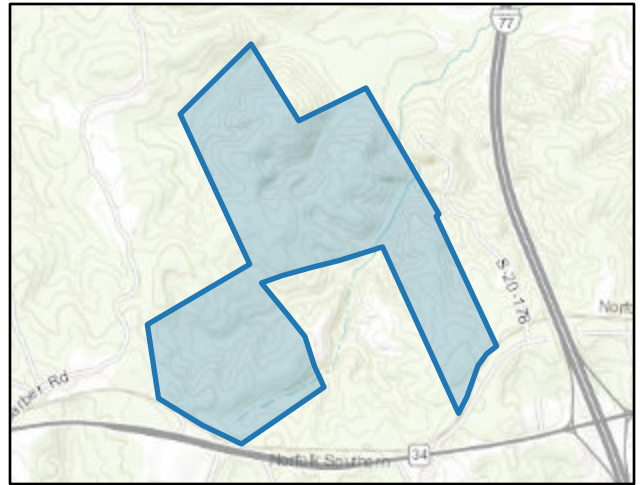
- All necessary measures must be taken to prevent oil, tar, trash and other pollutants from entering the adjacent offsite areas/wetlands/ water.
- Once the project is initiated, it must be carried to completion in an expeditious manner to minimize the period of disturbance to the environment.
- Upon project completion, all disturbed areas must be permanently stabilized with vegetative cover (preferable), riprap or other erosion control methods as appropriate.
- The project must be in compliance with any applicable floodplain, stormwater, land disturbance, shoreline management guidance or riparian buffer ordinances.
- Prior to beginning any land disturbing activity, appropriate erosion and siltation control measures (e.g. silt fences or barriers) must be in place and maintained in a functioning capacity until the area is permanently stabilized.
- Materials used for erosion control (e.g., hay bales or straw mulch) will be certified as weed free by the supplier.
- Inspecting and ensuring the maintenance of temporary erosion control measures at least:
  - a. on a daily basis in areas of active construction or equipment operation;
  - b. on a weekly basis in areas with no construction or equipment operation; and
  - c. within 24 hours of each 0.5 inch of rainfall.
- Ensuring the repair of all ineffective temporary erosion control measures within 24 hours of identification, or as soon as conditions allow if compliance with this time frame would result in greater environmental impacts.
- Land disturbing activities must avoid encroachment into any wetland areas (outside the permitted impact area). Wetlands that are unavoidably impacted must be appropriately mitigated.
- Your project may require a Stormwater Permit from the SC Department of Health & Environmental Control, please visit <https://www.scdhec.gov/environment/water-quality/stormwater>
- If clearing must occur, riparian vegetation within wetlands and waters of the U.S. must be conducted manually and low growing, woody vegetation and shrubs must be left intact to maintain bank stability and reduce erosion.
- Construction activities must avoid and minimize, to the greatest extent practicable, disturbance of woody shoreline vegetation within the project area. Removal of vegetation should be limited to only what is necessary for construction of the proposed structures.
- Where necessary to remove vegetation, supplemental plantings should be installed following completion of the project. These plantings should consist of appropriate native species for this ecoregion.

## D. Project Best Management Practices (2 of 2)

SCDNR offers the following comments and best management practices (BMPs) regarding this project's potential impacts to natural resources within or surrounding the project area. Please contact our Office of Environmental Programs at [environmental@dnr.sc.gov](mailto:environmental@dnr.sc.gov) should you have further questions with regard to best management practices related to this project area.



Map Credits: Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA

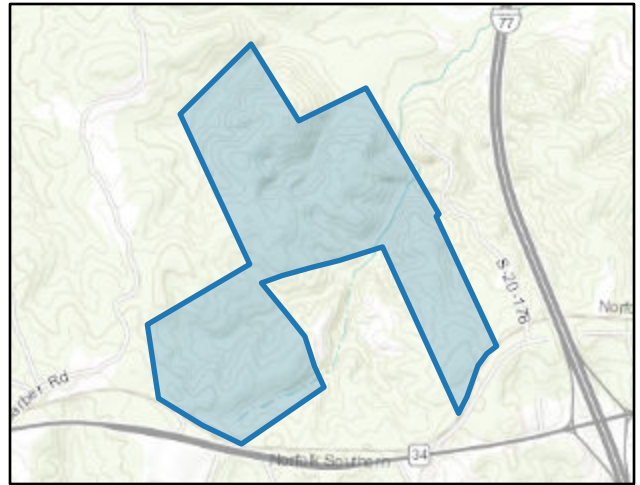


- Review of available data, National Hydrography Dataset, indicates that streams or waters of the United States are present within your project area. These areas may require a permit from the U.S. Army Corps of Engineers (USACE), as well as a compensatory mitigation plan. SCDNR advises that you consult with the USACE Regulatory to determine if jurisdictional waters are present and if a permit and mitigation is required for any activities impacting these areas. For more information, please visit their website at [www.sac.usace.army.mil/Missions/Regulatory](http://www.sac.usace.army.mil/Missions/Regulatory). Additionally, a 401 Water Quality Certification or a State Navigable Waters permit may also be required from the SC Department of Health & Environmental Control. For more information, please visit the following websites:
  - <https://www.scdhec.gov/environment/water-quality/water-quality-certification-section-401-clean-water-act>
  - <https://www.scdhec.gov/environment/water-quality/navigable-waters>
- Excavation/Construction activities must not occur during fish spawning season from March through June due to its negative impacts on eggs and reproduction activities.
- If clearing must occur, riparian vegetation within wetlands and waters of the U.S. must be conducted manually and low growing, woody vegetation and shrubs must be left intact to maintain bank stability and reduce erosion.
- Construction activities must avoid and minimize, to the greatest extent practicable, disturbance of woody shoreline vegetation within the project area. Removal of vegetation should be limited to only what is necessary for construction of the proposed structures.
- Where necessary to remove vegetation, supplemental plantings should be installed following completion of the project. These plantings should consist of appropriate native species for this ecoregion.

## E. Instructions for Submitting Species Observations

The SC Natural Heritage Dataset relies on continuous monitoring and surveying for species of concern throughout the state. Any records of species of concern found within this project area would greatly benefit the quality and comprehensiveness of the statewide dataset for rare, threatened and endangered species. Below are instructions for how to download the SC Natural Heritage Occurrence Reporting Form through the Survey123 App.

Map Credits: Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA



## Instructions for accessing the SC Natural Heritage Occurrence Reporting Form

For use in a browser (on your desktop/PC):

- 1) Follow <http://bit.ly/scht-reporting-form-point>
- 2) Select 'Open in browser'
- 3) The form will open and you can begin entering data!

This method of access will also work on a browser on a mobile device, but only when connected to the internet. To use the form in the field without relying on data/internet access, follow the steps below.

For use on a smartphone or tablet using the field app:

- 1) Download the Survey123 App from the Google Play store or the Apple Store. This app is free to download. Allow the app to use your location.
- 2) No need to sign in. However, you will need to provide the app with our Heritage Trust GIS portal web address. You will only need to do this once: (this is a known bug with ESRI's software, and future releases of the form should not require the below steps. Bear with us in the meantime!).
  - a. Tap 'Sign in'
  - b. Tap the settings (gear symbol) in the upper right corner
  - c. Tap 'Add Portal'
  - d. After the 'https://', type [schtportal.dnr.sc.gov/portal](https://schtportal.dnr.sc.gov/portal)
  - e. Tap 'Add Portal'
  - f. Tap the back-arrow icon (upper left corner) twice to return to the main sign in page.
- 3) Use the camera app (or other QR Reader app) to scan the QR code on this page from your smartphone or tablet. Click on the 'Open in the Survey123 field app'. This will prompt a window to allow Survey123 to download the SC Natural Heritage Occurrence Reporting Form. Select 'Open.'
- 4) The form will automatically open in Survey123, and you can begin entering data! This form will stay loaded in the app on your device until you manually delete it, and you can submit as many records as you like.







## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
South Carolina Ecological Services  
176 Croghan Spur Road, Suite 200  
Charleston, SC 29407-7558  
Phone: (843) 727-4707 Fax: (843) 727-4218  
<http://www.fws.gov/charleston/>

In Reply Refer To:

January 26, 2021

Consultation Code: 04ES1000-2021-SLI-0310

Event Code: 04ES1000-2021-E-00725

Project Name: Fairfield I-77 Development

Subject: List of threatened and endangered species that may occur in your proposed project location 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.*).

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](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://](http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html)

[www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html](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
  - Migratory Birds
-

## 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:

**South Carolina Ecological Services**

176 Croghan Spur Road, Suite 200

Charleston, SC 29407-7558

(843) 727-4707

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## Project Summary

Consultation Code: 04ES1000-2021-SLI-0310

Event Code: 04ES1000-2021-E-00725

Project Name: Fairfield I-77 Development

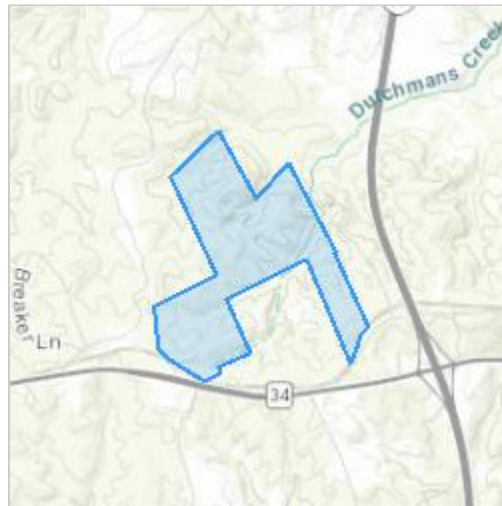
Project Type: MINING

Project Description: 404.11 acre site located in Ridgeway, Fairfield County, South Carolina.  
Reason for request of information is due diligence.

Project Location:

Approximate location of the project can be viewed in Google Maps: [https://](https://www.google.com/maps/@34.3164217,-81.01517966823937,14z)

[www.google.com/maps/@34.3164217,-81.01517966823937,14z](https://www.google.com/maps/@34.3164217,-81.01517966823937,14z)



Counties: Fairfield County, South Carolina

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## 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<sup>1</sup>, 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.

- 
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.

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## **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.

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## Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

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1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO FWS MIGRATORY BIRDS OF CONCERN WITHIN THE VICINITY OF YOUR PROJECT AREA.

### Migratory Birds FAQ

**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

**What does IPaC use to generate the migratory birds potentially occurring in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

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### **What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### **How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### **What are the levels of concern for migratory birds?**

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### **Details about birds that are potentially affected by offshore projects**

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical](#)

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[Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

### **What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

### **Proper Interpretation and Use of Your Migratory Bird Report**

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

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## Rare, Threatened, and Endangered Species of South Carolina - by County

The lists below indicate what species have been reported to the Heritage Trust Program as occurring in each county. They are not a complete listing of what actually exists, as no complete survey of the state has ever been done.

### Fairfield County

#### Animals

Scientific Name	Common Name	Federal Status	State Status	Global Rank	State Rank
Cambarus spicatus	Broad River Spiny Crayfish	ARS*: Risk, priority	--	G3	S3
Danaus plexippus	Monarch Butterfly	ARS*: Risk, Priority	--	G4	SNR
Etheostoma collis	Carolina Darter	--	--	G3	SNR
Haliaeetus leucocephalus	Bald Eagle	--	ST: Threatened	G5	S2
Perimyotis subflavus	Tricolored Bat	ARS*: Risk, priority	--	G2G3	S1S2
Sciurus niger	Southern Fox Squirrel	--	--	G5	S3S4
Villosa delumbis	Eastern Creekshell	--	--	G4	S4

#### Plants

Scientific Name	Common Name	Federal Status	State Status	Global Rank	State Rank
Carex oligocarpa	Eastern Few-fruit Sedge	--	--	G4G5	SNR
Dirca palustris	Eastern Leatherwood	--	--	G4	S2

Dodecatheon meadia	Shooting-star	--	--	G5	S1?
Frasera caroliniensis	Columbo	--	--	G5	S2
Isoetes piedmontana	Piedmont Quillwort	--	--	G4	S2
Minuartia uniflora	One-flower Stitchwort	--	--	G4	S3
Ophioglossum vulgatum	Adder's-tongue	--	--	G5	S2
Osmorhiza claytonii	Hairy Sweet-cicely	--	--	G5	S2
Philadelphus hirsutus	Streambank Mock-orange	--	--	G5	S2
Rhododendron eastmanii	May White	--	--	G2	S2
Scutellaria parvula	Small Skullcap	--	--	G4	S2S3
Sedum pusillum	Granite Rock Stonecrop	--	--	G3	S2
Symphotrichum georgianum	Georgia Aster	ARS*: Risk, priority	--	G3	SNR

For additional information about rare, threatened, and endangered species or questions about these lists, please contact [Anna Smith](#).

## Environmental Review

- [Office of Environmental Programs](#)
- [Bald Eagle Nest Data](#)
- [Planning & Conservation](#)

## FAIRFIELD COUNTY

CATEGORY	COMMON NAME/STATUS	SCIENTIFIC NAME	SURVEY WINDOW/ TIME PERIOD	COMMENTS
<b>Amphibians</b>	None Found			
<b>Birds</b>	Bald eagle (BGEPA)	<i>Haliaeetus leucocephalus</i>	October 1-May 15	Nesting season
<b>Crustaceans</b>	Broad River spiny crayfish (ARS)	<i>Cambarus spicatus</i>	November-April	
<b>Fishes</b>	Robust redhorse (ARS)	<i>Moxostoma robustum</i>	Late April-early May	Temperature dependent: 16-24°C
<b>Insects</b>	Monarch butterfly (ARS)	<i>Danaus plexippus</i>	August-December	Overwinter population departs: March-April
<b>Mammals</b>	Tri-colored bat (ARS)	<i>Perimyotis subflavus</i>	Year round	Found in mines and caves in the winter
<b>Mollusks</b>	None Found			
<b>Plants</b>	Georgia aster (ARS*)	<i>Symphotrichum georgianum</i>	Early October-mid November	
<b>Reptiles</b>	None Found			

\* Contact National Marine Fisheries Service (NMFS) for more information on this species.

\*\* The U.S. Fish and Wildlife Service (FWS) and NMFS share jurisdiction of this species.

ARS Species that the FWS has been petitioned to list and for which a positive 90-day finding has been issued (listing may be warranted); information is provided only for conservation actions as no Federal protections currently exist.

ARS\* Species that are either former Candidate Species or are emerging conservation priority species.

BGEPA Federally protected under the Bald and Golden Eagle Protection Act

C FWS or NMFS has on file sufficient information on biological vulnerability and threat(s) to support proposals to list these species.

CH Critical Habitat

E Federally Endangered

P or P – CH Proposed for listing or critical habitat in the Federal Register

S/A Federally protected due to similarity of appearance to a listed species

T Federally Threatened

These lists should be used only as a guideline, not as the final authority. The lists include known occurrences and areas where the species has a high possibility of occurring. Records are updated as deemed necessary and may differ from earlier lists.

For a list of State endangered, threatened, and species of concern, please visit <https://www.dnr.sc.gov/species/index.html>.

## **Appendix III– USFWS Clearance Letter**



United States Department of the Interior  
FISH AND WILDLIFE SERVICE  
176 Croghan Spur Road, Suite 200  
Charleston, South Carolina 29407  
May 30, 2019



### U.S. Fish and Wildlife Service Clearance Letter for Species and Habitat Assessments

The U.S. Fish and Wildlife Service (Service) is one of two lead Federal Agencies mandated with the protection and conservation of Federal trust resources, including threatened and endangered (T&E) species and designated critical habitat as listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*) (ESA). Development of lands in South Carolina have the potential to impact federally protected species. Accordingly, obligations under the ESA, National Environmental Policy Act (NEPA), Clean Water Act (CWA), Federal Power Act (FPA), and other laws, require project proponents to perform an environmental impact review prior to performing work on the site. These projects may include a wide variety of activities including, but not limited to, residential or commercial developments, energy production, power transmission, transportation, infrastructure repair, maintenance, or reconstruction of existing facilities on previously developed land.

Project applicants, or their designated representatives, may perform initial species assessments in advance of specific development proposals to determine the presence of T&E species and designated critical habitat that are protected under the ESA. These reviews are purposely speculative and do not include specific project or site development plans. Many of these speculative proposals are for previously developed or disturbed lands such as pasture lands, agricultural fields, or abandoned industrial facilities. Due to historical uses and existing conditions, these sites often do not contain suitable habitat to support T&E species. Therefore, an assessment may conclude that any future development of the site would have no effect to T&E species or adversely modify designated critical habitat. If the applicant, or their designee, determines there is no effect or impact to federally protected species or designated critical habitat, no further action is required under the ESA.

#### Clearance to Proceed

For all sites with potential projects that have no effect or impact upon federally protected species or designated critical habitat, no further coordination with the Service is necessary at this time. This letter may be downloaded and serve as the Service's concurrence or agreement to the conclusions of the species assessment. Any protected species survey or assessment conducted for the property should be included with this letter when submitting the project to Federal permitting agencies. Due to obligations under the ESA potential impacts must be reconsidered if: (1) new information reveals impacts of this identified action may affect any listed species or critical habitat in a manner not previously considered; (2) this action is subsequently modified in a manner which was not considered in this assessment; or (3) a new species is listed or critical habitat is designated that may be affected by the identified action.

**Please note this Clearance Letter applies only to assessments in South Carolina but may not be used to satisfy section 7 requirements for projects that have already been completed or currently under construction.**

If suitable habitat for T&E species or designated critical habitat occurs on, or nearby, the project site, a determination of no effect/impact may not be appropriate. In these cases, direct consultation requests with the Service should be initiated. Additional coordination with the Service may also be required if the potential project requires an evaluation under another resource law such as, but not limited to, NEPA, CWA, FPA, and the Coastal Zone Management Act.

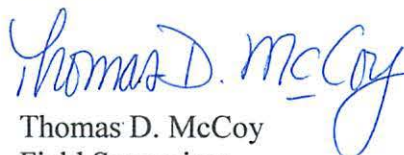
### **Northern Long-eared Bat Consideration**

The Service issued a nationwide programmatic biological opinion (PBO) for the northern long-eared bat (*Myotis septentrionalis*, NLEB) on January 5, 2016. The PBO was issued pursuant to section 7(a)(2) of the ESA to address impacts that Federal actions may have on this species. In addition, the Service published a final 4(d) rule on January 14, 2016, which details special consultation provisions for Federal actions that may affect the NLEB. Briefly, the PBO and the 4(d) rule allow for "incidental" take of the NLEB throughout its range under certain conditions. Take is defined in section 3 of the ESA as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. Further, incidental take is defined as take that results from, but is not the purpose of, carrying out an otherwise lawful activity. Under the PBO and 4(d) rule, all incidental take of the NLEB is exempted from the ESA's take prohibitions under certain conditions. However, incidental take is prohibited within one quarter mile from known hibernacula and winter roost, or within 150 feet from a known maternity roost tree during the months of June and July.

In consideration of known hibernacula, winter roosts, and maternity roost tree locations in South Carolina, this letter hereby offers blanket concurrence for a may affect, but is not likely to adversely affect determination for the NLEB if the proposed work occurs more than one quarter mile from known hibernacula, winter roosts, or is further than 150 feet from a known maternity roost trees. If an activity falls within one-quarter mile of hibernacula or winter roost or within 150 feet of a maternity roost tree additional consultation with the Service will be required. As a conservation measure for all projects it is recommended that all tree clearing activities be conducted during the NLEB inactive season of November 15<sup>th</sup> to March 31<sup>st</sup> of any given year.

The Service appreciates your cooperation in the protection of federally listed species and their habitats in South Carolina.

Sincerely,

  
Thomas D. McCoy  
Field Supervisor