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**COMMONWEALTH of VIRGINIA**  
**DEPARTMENT OF CONSERVATION AND RECREATION**

March 10, 2021

Eric Freels  
Acting District Ranger  
Glenwood/Pedlar Ranger Districts  
27 Ranger Lane  
Natural Bridge Station, VA, 24579

Re: Pedlar River North Vegetation Project Draft EA

Dear Mr. Freels:

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

According to the information currently in our files, Pedlar River-Nicholson Run Stream Conservation Unit (SCU) within and 100 feet of the project areas. SCUs identify stream reaches that contain aquatic natural heritage resources, including 2 miles upstream and 1 mile downstream of documented occurrences, and all tributaries within this reach. SCUs are also given a biodiversity significance ranking based on the rarity, quality, and number of element occurrences they contain. The Pedlar River-Nicholson Run SCU has been given a biodiversity ranking of B2, which represents a site of very high significance. The natural heritage resource associated with this site is:

*Parvaspina collina*

James Spinemussel

G1/S1/LE/LE

In addition, the Pedlar River has been designated by the Department of Wildlife Resources (VDWR) as "Threatened and Endangered Species Water" for the James Spinemussel and the Green Floater (*Lasmigona subviridis*, G3/S2/NL/LT). There has also been a documented occurrence of a rare dragonfly, the Zebra clubtail (*Stylurus scudderi*, G5/S1S2/NL/NL) at the next bridge to the north of the project that is currently being replaced.

To minimize adverse impacts to the aquatic ecosystem as a result of the proposed activities, DCR recommends the implementation of and strict adherence to applicable state and local erosion and sediment control/storm water management laws and regulations. Due to the legal status of the James spinymussel and Green floater, DCR also recommends continued coordination with USFWS and Virginia Department of Wildlife Resources (VDWR), for the management and protection of these species, the VDWR, to ensure compliance with the Virginia Endangered Species Act (VA ST §§ 29.1-563 – 570). DCR supports the best management practices protective of water quality including no timber harvest or ground disturbing activities would occur in protected riparian corridors for perennial and intermittent streams as stated on page 61 of the draft EA.

Under contract with USFS, DCR botanists documented Small whorled pogonia (*Isotria medeoloides*, G2/S2/LT/LE) within the project footprint as noted on page 66 of the draft EA. Based on the survey results, DCR supports avoidance of any ground disturbing activities in this area/ vicinity and the designation of a special biological area (SBA) for the small whorled pogonia population.

Also according to a DCR ecologist, two significant communities (Montane Alluvial Forest and Central Appalachian Basic Seepage Swamp) occur with the Pedlar River North area (blue polygons), with a standard 250-meter SBB buffer (red polygons) displayed in the attached map (Figure 1). In addition to these significant communities, rare plants including the Large purple fringed orchid (*Platanthera grandiflora*, G5/S2/NL/NL) and the Bog bluegrass (*Poa paludigena*, G3/S2/NL/NL) also occur within the natural community polygons. According to the draft EA on page 67 the originally proposed harvest Unit 9 and a prescribed burn block located within the Nicholson Run Seeps Special Biological Area (SBA) has been removed or altered from the project and the other above mentioned documented natural heritage resources are documented outside the proposed action area. Unit 2 and 40 remain in the vicinity, but are located outside of the defined SBA boundary. Based on the provided map and shapefile, Unit 40 intersects the significant community buffer identified in Figure 1. DCR continues to recommend these buffer areas be excluded from any timber harvests or ground-disturbing activity.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the DCR, DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. DCR recommends continued coordination with USFWS and DCR for any proposed activities in the vicinity of the Small whorled pogonia population including possible site manipulation for habitat improvement as stated on page 66 of the draft EA.

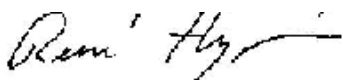
There are no State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

New and updated information is continually added to Biotics. Please re-submit a completed order form and project map for an update on this natural heritage information if the scope of the project changes and/or six months has passed before it is utilized.

The Virginia Department of Wildlife Resources (VDWR) maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters that may contain information not documented in this letter. Their database may be accessed from <http://vafwis.org/fwis/> or contact Ernie Aschenbach at 804-367-2733 or [Ernie.Aschenbach@dwr.virginia.gov](mailto:Ernie.Aschenbach@dwr.virginia.gov). There is potential for the little brown bat (*Myotis lucifugus*), the Northern long-eared bat (*Myotis septentrionalis*) and /or the tri-colored bat (*Perimyotis subflavus*) to occur within the project area. Therefore, DCR recommends continued coordination with USFWS and the VDWR, Virginia's regulatory authority for the management and protection of these species to ensure compliance with the Virginia Endangered Species Act (VA ST §§ 29.1-563 – 570).

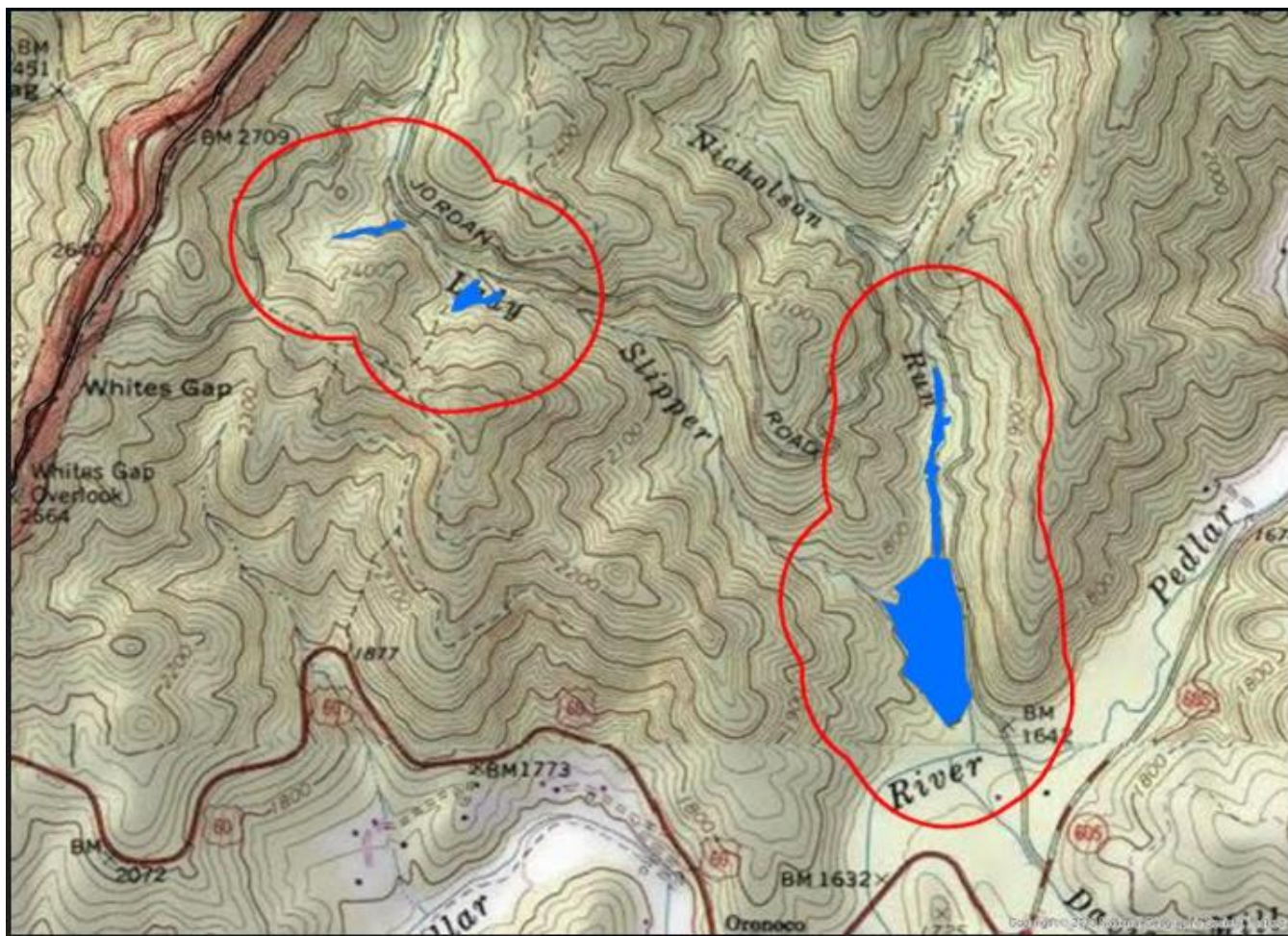
Should you have any questions or concerns, feel free to contact me at 804-371-2708. Thank you for the opportunity to comment on this project.

Sincerely,



S. René Hypes  
Natural Heritage Project Review Coordinator

Cc: Ernie Aschenbach, VDWR  
Troy Andersen, USFWS



**Figure 1:** Documented Significant Natural Heritage Communities with 250-meter buffer.