

**Bradford Ranger District
OGM Resource Review – Wildlife**

USDA - Forest Service
Allegheny National Forest
Duhring Resources Inc., Case Number: B-028, 5 wells
To: Sheldon Winters, OGM Administrator
Date: August 19, 2008

1. Background

Duhring Resource Inc. is proposing to construct 5 wells, associated access roads, and transmission lines. Developments are located on Warren County, Sheffield Township, in Lot 8 within the Cherry Run watershed. Access is provided by Forest Roads 148 and other lease roads. Approximately 6.5 acres of forestland will be affected. For additional information on these wells and the expected timelines of this proposal, please refer to the OGM Case Information Sheet and project map(s) in the case file.

2. Present Condition of Wildlife Habitat

Physical Features

Date of field check: August 14, 2008

Field Check Complete: yes

Terrain, aspect, range of slope: relatively gentle hillside, northwest, 3 to 10%

Soil conditions: generally moderately-drained throughout except near springs

***Rock outcrops and boulders:** none, but widely scattered low flat rocks were noted near Wells 8-86 and 8-88

***Water sources, wetlands, vernal pool, floodplain, and riparian corridors:**

- a) Well 8-79 – a seasonal spring is at the well center
- b) Road to Well 8-79 – crosses a seasonal spring 50 feet west of the well center
- c) Road to Well 8-79 – crosses a seasonal spring 150 feet west of the well center
- d) Road to Well 8-88 – crosses a large entrenched spring is 100 feet east of Well 8-79
- e) Road to Well 8-88 – crosses a spring 100 feet southwest of Well 8-88
- f) Road to Well 8-89 – crosses a large entrenched spring 75 feet northeast of Well 8-88
- g) Road to Well 8-89 – crosses a seep 275 feet southwest of Well 8-89
- h) Road to Well 8-89 – crosses a large spring 185 feet southwest of Well 8-89
- i) Road to Well 8-89 – crosses a spring 75 feet southwest of Well 8-89
- j) Road to Well 8-87 – crosses a seasonal spring 20 feet northeast of well center

* These resources are considered non-renewable, unique, specialized or particularly sensitive to human development. If the proposed actions directly or indirectly affect these features, the project is expected to comply with the Standards and Guidelines of the ANF Land and Resource Management Plan. The project design will implement conservation measures to eliminate or reduce potential impacts on these resources.

Habitat Description

Forest types and conditions: Mature stands of Allegheny hardwoods consisting of black cherry, red maple, sugar maple, and yellow birch. There are no minor component overstory species in the project area.

Understory vegetation: Beech, junberry, and ironwood saplings are common. Hophornbeam, hobblebush, and witch hazel are minor component species of the understory.

Primary ground cover: Hay-scented fern, New York fern, and blackberry were most frequently observed. Other species noted but in limited numbers include violets, false violets, Canada mayflower, Indian cucumber-root, painted trillium, wild oats, greenbrier, wild sarsaparilla, starflower, partridge-berry, crooked stalk, green sedge, wide-leaf sedge, wood sorrel, Indian pipe, foamflower, greenbrier, bracken fern, cinnamon fern, wood fern, short husk grass, tree clubmoss, shining clubmoss, ground cedar, mushroom (2 species undetermined), and moss (2 species undetermined). Red maple, junberry, ironwood, birch, and witch hazel seedlings were also observed.

Unique plant communities: none

Raptor or heron nests: none

Noxious or Invasive weeds: none

Wildlife Usage: Field evidence was found that the young and mature hardwood forest serves as suitable breeding and foraging habitat for deer, bear, crow, wood thrush, blue-headed vireo, red-eyed vireo, dark-eyed junco, blue jay, and black-capped chickadee.

Specialize habitat (winter range, etc): none

3. Threatened and Endangered Species Status and Habitat in the Project, Effects and Determinations, and Recommended Conservation Measures (RCM)

Responsibility

This project is not a federal action, on a non-federal mineral lease, but impacts National Forest land. It is the responsibility of the mineral owner to comply with the Endangered Species Act.

Critical Habitat of T&E Species

There is no officially designated critical habitat for any federally listed threatened or endangered species (16 U.S.C. 1532 (50 A)) on the ANF.

3.1 Indiana Bat (*Myotis sodalis*)

There are no documented occurrences in project area. Past surveys for timber sales throughout the region failed to capture one. Suitable roosting and foraging habitat is provided by the mature hardwood forest habitat in the project. The FR 148 corridor, numerous lease roads, and pipelines may serve as travel routes and foraging habitat. A 'may affect, but not likely to adversely

affect' determination is reached since a change in roosting and foraging habitat would result from the project with the removal of commercial-size trees. Based on current survey data, the species has not been found here. Case B-028 is not likely to affect the Indiana bat due to the limited scope of the project, species use on the ANF has been shown to be very rare, and the vast amount of suitable habitat available to the species (remains substantially unchanged) across the Forest. No RCM are necessary.

3.2 Small Whorled Pogonia (*Isotria medeoloides*)

There are no documented occurrences in project area. The field reconnaissance was slightly outside the survey protocol window. Past surveys for timber sales and OGM project in the immediate vicinity of Case B-028 and throughout this watershed have failed to detect the species. Two species, partridge-berry and bracken fern, commonly associated with this orchid were observed. According to the Forest SWP model, a large portion of the project area has moderate to high potential habitat. Because no preferred oak forest type present, the field survey failed to find it, there are no previously documented occurrences of the species, but the model indicates the project has moderate to high potential habitat, two commonly associated species were observed, and potential hardwood forest habitat would change as a result of the project, a **'may affect, but not likely to adversely affect'** determination is reached for the small whorled pogonia. No RCM are necessary.

3.3 Northeastern Bulrush (*Scirpus ancistrochaetus*), Northern Riffleshell (*Epioblasma torulosa*), and Clubshell Mussel (*Pleurobema clava*)

There are no documented occurrences or suitable habitat provided for these species in the project area. As a result, a **'no effect'** determination is reached for these species. No RCM are necessary.

During the review of the Plan of Operation, if known occurrences of federally listed, proposed, threatened, or endangered species are located in the vicinity of proposed mineral developments, this will be documented in a letter to the operator and copied to the U.S. Fish and Wildlife Service Field Office in State College, PA. The responsibility to comply with the Endangered Species Act will rest with the operator. The letter will direct the operator to contact the Fish and Wildlife Service to resolve issues related to threatened and endangered species prior to proceeding with any tree cutting or earth disturbance.

4. Regional Forester Sensitive Species (RFSS) Status and Habitat in the Project, Impacts and Determinations, and Recommended Conservation Measures (RCM)

Land directly impacted by this proposal does not provide suitable habitat for 54 of the 61 listed ANF RFSS. Currently, these 54 species have not been documented (historically) in the project and suitable habitat (for any of these species) is not found in the area and would not be impacted by this proposal. As a result, a **'no impact'** determination has been reached for 54 RFSS and these species will not be addressed (further) in this report.

4.1 Northern Goshawk (*Accipiter gentiles*)

There are no documented occurrences of the species but nesting and foraging habitat is found in the project area. Field surveys did not detect any active northern goshawk nests in Case B-028. There are no (known) active or inactive goshawk territories in or near the project area. The project will alter mature hardwood forest habitat and a limited amount of suitable nesting and foraging habitat would change as a result of the project. Consequently, a **'may impact**

individuals, but not likely to cause a trend toward federal listing or loss of viability' determination is reached. No RCM are necessary.

4.2 Timber Rattlesnake (*Crotalus horridus*)

The closest documented occurrences have been recorded 2.0 miles from the project area. Past surveys for timber sales and OGM projects in this watershed failed to observe one. Although some small flat boulders were observed, no winter den or basking sites are found in the project area. The mature hardwood forest habitat in this area provides suitable foraging habitat. The new construction would alter foraging habitat and the mature forest environment would be directly affected. Rattlesnake foraging habitat is readily available across the project and the ANF. Although no confirmed documentation of species exists for the area, Case B-028 has a '**may impact individuals, but not likely to cause a trend toward federal listing or loss of viability'** determination for the timber rattlesnake. No RCM are necessary.

4.3 Hooker's Orchid (*Platanthera hookeri*), American Ginseng (*Panax quinquefolius*), Mountain Wood Fern (*Dryopteris campyloptera*), Checkered Rattlesnake Plantain (*Goodyera tessellata*), White Trout Lily (*Erythronium albidum*)

These species are associated with mid to late hardwood forest. There are no documented occurrences in the project area. Past surveys for timber sales and other OGM projects throughout this watershed have failed to detect these species. The mature hardwood forest throughout much of Case B-028 is considered suitable habitat. Although there are no documented occurrences of these species in the Cherry Run watershed, but suitable habitat occurs or would be altered by the project, Case B-028 reaches a '**may impact individuals, but not likely to cause a trend toward federal listing or loss of viability'** determination for these rare plants. In addition, the direct impact of the project is not substantial due to the project's limited scope and suitable habitat remains widely available across the ANF. No RCM are necessary.

5. Protection of Sensitive or Specialized Habitats (recommended conservation measures)

Well 8-79:

- Well 8-79 – a seasonal spring is at the well center
- Road to Well 8-79 – crosses a seasonal spring 50 feet west of the well center
- Road to Well 8-79 – crosses a seasonal spring 150 feet west of the well center
- a large entrenched spring is located 100 feet east of the well center

Recommendations: Install a proper size culvert at each of the 3 spring crossings.

Move Well 8-79 50 feet east away from the seasonal spring. Re-shape the well pad, minimize its size, make it rectangular, positioned upslope, and fit it between the seasonal spring and the large entrenched spring. Provide erosion and sedimentation measures necessary to keep sediment out of these streams.

Well 8-88:

- Road to Well 8-88 – crosses a large entrenched spring is 100 feet east of Well 8-79
- Road to Well 8-88 – crosses a spring 100 feet southwest of Well 8-88
- a large entrenched spring is located 75 feet northeast of Well 8-88

Recommendations: Install a 2.5 to 3.0 foot culvert at the large entrenched spring 100 feet east of Well 8-79. This stream carries a very high volume of water during periods of the year.

Install a proper size culvert at the spring crossing located 100 southwest of the well.

Move Well 8-88 about 25 feet southwest to provide an additional buffer for the large entrenched spring. *If the NC Trail is a concern, move the well an additional 50 feet upslope.* Minimize the size of the well pad, re-shape the pad to rectangular (long/narrow), position it upslope, and provide erosion and sedimentation measures necessary to keep sediment out of these streams.

Well 8-89:

- Road to Well 8-89 – crosses a large entrenched spring 75 feet northeast of Well 8-88
- Road to Well 8-89 – crosses a seep 275 feet southwest of Well 8-89
- Road to Well 8-89 – crosses a large spring 185 feet southwest of Well 8-89
- Road to Well 8-89 – crosses a spring 75 feet southwest of Well 8-89

Recommendations: Install a 3.0 foot culvert at the large entrenched spring 75 feet northeast of Well 8-88. This stream carries a very high volume of water during periods of the year.

Install proper size culverts at the 2 springs and 1 seep (all) southwest of the well.

Move well 50 feet east away from the spring.

Well 8-86 – no biological / environmental concerns (proceed as planned). *However, 175 feet of the proposed access road impacts the NC Hiking Trail and the well center is only 45 feet from the trail. Recommend (at a minimum) move the well 50 feet south off the trail. If the road location is not adjusted off-trail, consider seeding the section of road that intersects the trail to create a grassy lane (lessen the visual impact).*

Well 8-87:

- Road to Well 8-87 – crosses a seasonal spring 20 feet northeast of well center.

Recommendation: Install proper size culvert at the seasonal spring.

Move the well 50 feet south/southwest, slightly upslope away from the spring.

District Wildlife Biologist,
/s/ Terry Steffan