



United States Department of the Interior

FISH AND WILDLIFE SERVICE
1208-B Main Street
Daphne, Alabama 36526

IN REPLY REFER TO:
2011-F-0519

AUG 1 0 2011

Ref: 2011-CPA-0121
ACOE File No. 2011-00100

Mr. Bradley N. Bishop, Chief
Western Regulatory Section
Operations Division
U.S. Army Corps of Engineers-Nashville District
3701 Bell Road
Nashville, TN 37214

Dear Mr. Bishop:

This letter acknowledges the U.S. Fish and Wildlife Service's (Service) July 14, 2011, receipt of your July 12, 2011, letter requesting initiation of formal consultation under the Endangered Species Act (Act). We understand that the U.S. Army Corps of Engineers will serve as the lead federal action agency and the Tennessee Valley Authority acting as the cooperating federal agency. The consultation concerns the possible effects from work proposed in Public Notice 11-12, dated March 15, 2011, regarding the City of Huntsville's request to discharge fill material into Limestone Creek, as it concerns the permitting of a proposed municipal sewer line crossing on piers at Limestone Creek Mile 16.9 in Limestone County, Alabama.

All information required of you to initiate consultation on the possible effects of the proposed actions on the endangered armored snail and slender campeloma was either included with your letter or is otherwise accessible for our consideration and reference. We have assigned log number 2011-F-0519 to this consultation. Please refer to that number in future correspondence on this consultation.

Section 7 allows the Service up to 90 days to conclude formal consultation with your agency and an additional 45 days to prepare our biological opinion (unless we mutually agree to an extension). Therefore, we anticipate completing the consultation by November 8, 2011, and the biological opinion by December 23, 2011.

As a reminder, the Endangered Species Act requires that after initiation of formal consultation, the Federal action agency make no irreversible or irretrievable commitment of resources that limits future options. This practice insures agency actions do not preclude the formulation or implementation of reasonable and prudent alternatives that avoid jeopardizing the continued existence of endangered or threatened species or destroying or modifying their critical habitats.

PHONE: 251-441-5181



FAX: 251-441-6222

If you have any questions or need additional information, please contact Mr. Anthony Ford of my staff at (251) 441-5838. Please use the reference number located at the top of this letter in future phone calls or written correspondence.

Sincerely,



William J. Pearson
Field Supervisor
Alabama Ecological Services Field Office

cc: Mr. Gary Davis, U.S. Army Corps of Engineers, Nashville District
2042 Beltline Road SW, Building C, Suite 415, Decatur, AL 35601
Ms. Samantha Strickland, Tennessee Valley Authority ✓
1010 Reservation Road, Muscle Shoals, AL 35662
Mr. Shane Davis, City of Huntsville
320 Fountain Circle, Huntsville, AL 35801
Mr. Zachary Turner, Garver LLC
5125A Research Drive, Huntsville, AL 35805
Mr. Jeff Selby, AST Environmental
98 Mark Selby Private Drive, Decatur, AL 35603
Alabama Department of Environmental Management
P.O. Box 301463, Montgomery, AL 36130

Therefore, based upon this information, we have determined that the proposed project is likely to adversely affect suitable substrate for the federally listed snail species and request your concurrence with this determination.

We await your evaluation of the potential impacts of this project upon the listed species. If you have questions or need additional information, please contact Mr. Gary Davis of my staff at (256) 350-5620 or Ms. Samantha Strickland of TVA at (256) 386-2643.

Sincerely,

Bradley N. Bishop
Chief, Western Regulatory Section
Operations Division

Enclosure (Biological Survey)

Copy Furnished:

City of Huntsville
ATTN: Mr. Shane Davis
320 Fountain Circle
Huntsville, Alabama 35801

AST Environmental
Mr. Jeff Selby
98 Mark Selby Private Drive
Decatur, Alabama 35603

Garver, LLC
5125A Research Drive
Huntsville, Alabama 35805

✓ TVA (ATTN: Ms. Samantha Strickland)
Reservoir Land Use and Permitting
1010 Reservation Road
Muscle Shoals, Alabama 35662-1010

ADEM
P.O. Box 301463
Montgomery, Alabama 36130-1463



5125A Research Drive
Huntsville, AL 35805

TEL 256.534.5512
FAX 256.534.5544

www.GarverUSA.com

June 15, 2011

U.S. Army Corps of Engineers
Attn: Gary Davis
Regulatory Specialist
Nashville District

RE: USFWS Reference No. 2011-CPA-0121
Limestone Creek Sanitary Sewer Crossing
Protected Species/Biological Assessment
In Limestone County, AL

Mr. Davis:

Submitted herewith is the report of survey findings by AST Environmental based on their Protected Species / Biological Assessment for the above reference project. This report is being submitted for review and further distribution to US Fish & Wildlife Service as needed.

If you have questions, comments, or need any additional information regarding this project or the items submitted, please let me know at your earliest convenience.

Sincerely,
GARVER, LLC

A handwritten signature in blue ink that reads 'Zachary H. Turner'.

Zachary H. Turner, PE
Project Manager

CC: Kathy Martin, PE
Scott Leach, PE
Project File

June 6, 2011

JS11-108

Attention: Scott Leach
Garver, LLC
5125A Research Drive
Huntsville, AL 35805

Reference: USFWS Reference No. 2011-CPA-0121

Subject: Limestone Creek West Sanitary Sewer Extension
Protected Species / Biological Assessment
Limestone County, Alabama

Mr. Leach:

This report of findings is in response to the United States Fish and Wildlife Service (USFWS) letter dated April 20, 2011 from Dan Everson to Gary Davis, US Army Corps of Engineers regarding the proposed sanitary sewer line aerial crossing of Limestone Creek in Limestone County, Alabama.

On May 25, 2011 AST Environmental (AST) conducted a survey in Limestone Creek for:

Anthony's riversnail (<i>Athearnia anthonyi</i>)	Endangered
Armored snail (<i>Pyrgulopsis (=Marstonia) pachyta</i>)	Endangered
Slender campeloma (<i>Campeloma decampi</i>)	Endangered

The survey was led by Dr. Terry Richardson (Federal Fish and Wildlife Permit Number TE100626-6) following USFWS protocol. The survey encompassed a stream reach extending 100 yards upstream and 300 yards downstream from the proposed stream crossing.

SITE

The survey reach ranged in depth from a few inches to about 3 ½ feet (see Site Photographs). The wetted channel ranged in width from approximately 50 to 60 feet. The substratum was approximately 70% gravel - cobble, 20% sand and 10% mud / leaf pack. A large pool with nondetectible flow extended from approximately 40 yards below the proposed crossing beyond the upstream survey boundary. The lower extent of the survey area was comprised mainly of cobble laden riffles and runs.

METHODS

AST examined the substrata within the survey reach for the presence of freshwater snails. A combination of snorkeling and wading was used to complete the survey. A 800 micron mesh kick net was used to sweep submerged roots and aquatic vegetation during the survey.

RESULTS

Appropriate substrate types for the target snail species were present within the survey reach. No protected snails were observed within the proposed project footprint or immediate area.

A total of 12 Armored marstonia were collected from large submerged root masses along the stream margins and submerged epilithic periphyton below the proposed crossing. They were not collected above the crossing.

Three live Slender campeloma snails were collected within the survey reach. One Slender campeloma was collected from a large submerged root mass downstream from the proposed crossing. Two Slender campeloma were collected from a patch of water willow (*Justicia americana*) upstream from the proposed crossing.

Large rocks and cobble were dislodged and examined for the presence of Anthony's riversnail; however this species was not found within the survey reach.

In addition to the two Federally Endangered snail species present within the survey reach *Pleurocera pyrenellum*, *Pleurocera c.f. currierianum*, *Elimia c.f. laqueata* and *Amnicola limosa* were present.

Because protected species were present within the survey reach consultation with the USFWS will be required prior to implementation of this project. If you need any additional information, please contact me at (256) 443-9165 or Jeff Selby at (256) 476-7355.

Sincerely,

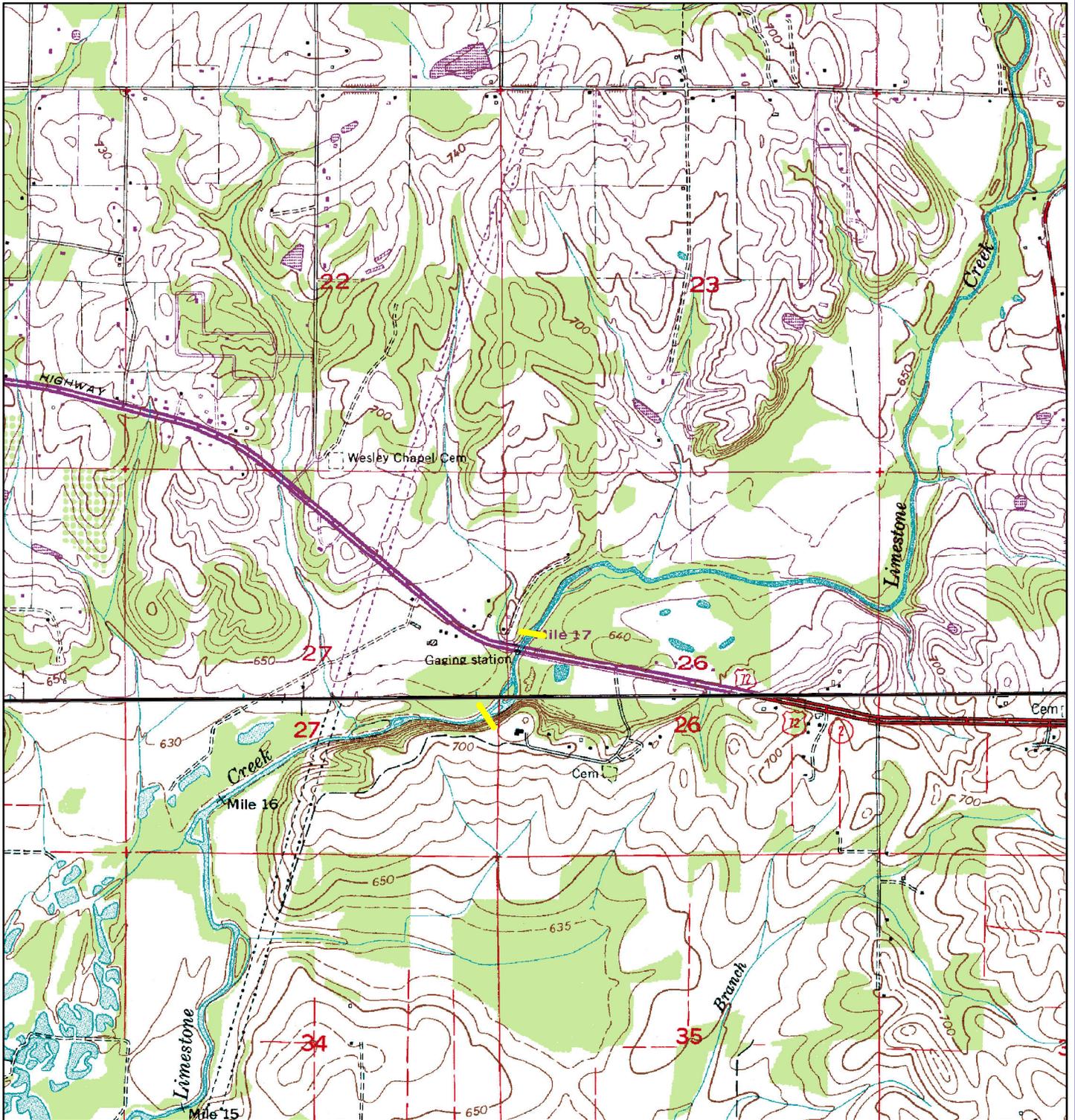


Terry D. Richardson, Ph.D
Member / Senior Ecologist
AST Environmental



Jeff Selby, M.S.
Member / Senior Biologist
AST Environmental

Attachments:
Site Map
Site Photographs



0 2,500 5,000 Feet

SCALE = 1 : 24,000

 Survey Boundaries
100 yards upstream and 300 yards
downstream from proposed crossing



SITE MAP JS11-108
Limestone Creek Snail Survey
Limestone County, AL

SOURCE: USGS Topographic Quadrangles
Capshaw, Alabama and Greenbrier, Alabama

AST Environmental

PHOTOGRAPH 1



Downstream of Alabama State Highway 72 Bridge and proposed sanitary sewer crossing facing upstream. Taken by Jeff Selby, 5-25-11.

PHOTOGRAPH 2



Typical view of run within the downstream portion of the survey reach. Taken by Jeff Selby, 5-25-11.

PHOTOGRAPH 3



Submerged root mass located near the downstream survey boundary. Taken by Jeff Selby, 5-25-11.

PHOTOGRAPH 4



Water willow patch located near the upstream survey boundary. Taken by Jeff Selby, 5-25-11.

PHOTOGRAPH 5



Campeloma decampi collected from the survey reach. Taken by Jeff Selby, 5-25-11.

PHOTOGRAPH 6



Pyrgulopsis pachyta collected from the survey reach. Taken by Jeff Selby, 5-25-11.
