



Pennsylvania Fish & Boat Commission

Division of Environmental Services
Natural Diversity Section
595 E Rolling Ridge Dr.
Bellefonte, PA 16823
814-359-5237

May 14, 2019

IN REPLY REFER TO
SIR# 48196

Skelly & Loy, Inc.
Andy Brookens
449 Eisenhower Boulevard
Harrisburg, Pennsylvania 17111

RE: Species Impact Review (SIR) – Rare, Candidate, Threatened and Endangered Species
PNDI Search No. 635546_2
SGI Charmian - North Tract Quarry
ADAMS County: Hamiltonban Township

Dear Andy Brookens:

This responds to your inquiry about a Pennsylvania Natural Diversity Inventory (PNDI) Internet Database search “potential conflict” or a threatened and endangered species impact review. These projects are screened for potential conflicts with rare, candidate, threatened or endangered species under Pennsylvania Fish & Boat Commission jurisdiction (fish, reptiles, amphibians, aquatic invertebrates only) using the Pennsylvania Natural Diversity Inventory (PNDI) database and our own files. These species of special concern are listed under the Endangered Species Act of 1973, the Wild Resource Conservation Act, and the Pennsylvania Fish & Boat Code (Chapter 75), or the Wildlife Code.

For our review of this project in 2016, a Timber Rattlesnake (*Crotalus horridus*) habitat assessment and survey was conducted within the potential impact area of this project. Timber Rattlesnakes were not confirmed to be using critical habitats within the project area and we do not anticipate any direct adverse impacts to the Timber Rattlesnake from the proposed project. However, as stated in our earlier correspondence (July 11, 2016), the project areas could be used as foraging habitat for Timber Rattlesnakes venturing from other nearby areas and this warrants some concern about rattlesnake-human conflicts. Although the nature of the timber rattlesnake is rather docile, it can be dangerous if cornered or handled. Therefore, the workers should be mindful of the presence of the snakes in the area. Rattlesnakes are attracted to open, rocky, log-strewn areas for basking and forested areas with thick deciduous leaf litter that tend to support high populations of rodents. We recommend that the workers responsible for implementing this project be advised and/or briefed that Timber Rattlesnakes may be encountered and that avoidance is the best means of minimizing risks to personal safety. These workers should also be advised that the timber rattlesnake is a state protected species and is not to be harmed. Killing of timber rattlesnakes without a proper permit is prohibited by the Commission pursuant to 58 Pa. Code Section 79.6.

Our Mission:

www.fish.state.pa.us

To protect, conserve and enhance the Commonwealth's aquatic resources and provide fishing and boating opportunities.

If any Timber Rattlesnakes are observed on-site, please notify this office.

In more recent updates to the PNDI search of the project area, concern for the potential for impacts to the Bog Turtle (*Glyptemys muhlenbergii*) was raised. Based on a 2015 habitat assessment by Skelly and Loy, no potential bog turtle habitat exists within 300 feet of the project area. A site meeting was attended on March 18, 2019 by Kathy Gipe of my staff and personnel from the US Fish and Wildlife Service, the Pennsylvania Department of Environmental Protection (DEP), project proponents, and others to review potential impacts to offsite streams and wetlands. Hydrologic monitoring data and data from past and current mining operations in the area were presented that demonstrate that no direct or indirect impacts to the hydrology of off-site wetlands are projected from the project. Therefore, we do not anticipate any adverse impacts to the Bog Turtle from the proposed project.

This response represents the most up-to-date summary of the PNDI data and our files and is valid for two (2) years from the date of this letter. An absence of recorded species information does not necessarily imply species absence. Our data files and the PNDI system are continuously being updated with species occurrence information. Should project plans change or additional information on listed or proposed species become available, this determination may be reconsidered, and consultation shall be re-initiated.

If you have any questions regarding this review, please contact Kathy Gipe at 814-359-5186 and refer to the SIR # 48196. Thank you for your cooperation and attention to this important matter of species conservation and habitat protection.

Sincerely,



Christopher A. Urban, Chief
Natural Diversity Section

CAU/KDG/dn

Cc: D. Ryan, PFBC
N. Ranalli, USFWS