



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

Tennessee Ecological Services Field Office

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March 10, 2022

Mr. Mike Letson  
Permitting Compliance Lead  
Tennessee Gas Pipeline Company, LLC  
1001 Louisiana Street, Suite 1000  
Houston, Texas 77002

Subject: FWS #2022-0011291, previously 2022-CPA-0484/TA-1019. Species determination for Cumberland gasline project, Dickson, Houston, and Stewart Counties, Tennessee.

Dear Mr. Letson,

U.S. Fish and Wildlife Service (Service) personnel have reviewed your report of threatened and endangered species survey findings and request for concurrence with species determinations for the subject project. This action would involve installation of approximately 32 miles of natural gas pipeline to facilitate the proposed replacement of coal-fired units at the Cumberland Fossil Plant with a gas-based system. The pipeline would generally follow an existing TVA electric transmission line right-of-way, and approximately 1,189 acres were evaluated for the gasline project relative to potential impacts to federally listed species.

Information about federally listed species that could potentially be affected by the project was generated during a search of the Service's Information for Planning and Consultation (IPaC) system. Those species are: the gray bat (*Myotis grisescens*), Indiana bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), rabbitsfoot (*Quadrula cylindrica cylindrica*), tan riffleshell (*Epioblasma florentina walkeri*), Price's potato-bean (*Apios priceana*), and Short's bladderpod (*Physaria globosa*). Surveys for the bats, mussels, and plants specified in the IPaC list (with exception of the gray bat) all resulted in negative findings, and we understand that you have not documented caves in the vicinity of the project area. Based on the survey findings, habitat conditions, and the obligation to implement conservation measures (including standard water quality control measures), you have determined that the project is not likely to adversely affect (NLAA) any of these seven species. As the designated non-federal representative for the Federal Energy Regulatory Commission, you have requested our concurrence with that determination. Also - in order to minimize effects to nesting birds, you have proposed clearing

of trees outside of the period of April 15 to August 1 and maintenance mowing outside of the period of April 15 to July 1.

Pedestrian field surveys of the study area were conducted between June and September 2021 to assess potential habitats for bats, mussels, and plants; and all suitable habitats were searched for Price's Potato-bean and Short's bladderpod during that timeframe. That effort did not result in findings of either of the plants.

Bat netting surveys were conducted between June 21 and August 13, 2021. Forty-seven sample sites were located at forested sites along the entire length of the project route in accordance with the 2020 Range-Wide Indiana Bat Summer Survey Guidelines. The survey resulted in captures of 120 individuals of four common species (big brown bat, evening bat, eastern red bat, and tricolored bat) and nine gray bats. Gray bat roost sites are not known to occur within 0.5 mile of the project route, and you have determined that standard sediment control measures will sufficiently address the potential for impacts to the aquatic invertebrate forage base upon which the gray bat relies.

Mussels were surveyed at each stream crossing that exhibits potential for the presence of mussels. Eight sites were surveyed on September 8 and 9, 2021. All suitable substrate along each crossing site was disturbed in order to accomplish thorough sampling, and visual searches were conducted upstream and downstream of the proposed cross-sectional footprint in order to document the presence of mussel shells. Neither the rabbitsfoot nor tan riffleshell was found during the survey; only the painted creekshell, a common species, was documented.

Based on location of the project site, survey findings, and implementation of conservation measures as discussed, the Service concurs with your NLAA determinations for each of the seven species. Note, negative bat survey results are valid for a period of five years unless new information suggests otherwise; i.e., the data supporting our concurrence on the Indiana bat and northern long-eared bat expires in April 2027. The Service considers this correspondence to conclude the coordination requirements of the Endangered Species Act (ESA) of 1973, as amended. Please re-coordinate with us if (1) new information reveals impacts of the proposed action that may affect listed species or critical habitat in a manner not previously considered, (2) the proposed action is subsequently modified to include activities which were not considered during this consultation, or (3) new species are listed or critical habitat designated that might be affected by the proposed action.

Finally, although not required in accordance with requirements under the ESA, we recommend that clearing of trees and maintenance mowing be conducted during the period of October 15 – March 31 to the greatest extent practicable (while adhering to standard sediment control measures during the rainy season) or, at a minimum, to conduct these activities as late in summer as practicable. This would benefit bats and migratory birds that would potentially be roosting / nesting within the project area. Also, we recommend that revegetation of the project area be conducted in a manner that maximizes benefits to pollinators. For example, the use of milkweed would enhance habitat for the monarch butterfly.

We appreciate your cooperation in addressing potential impacts to sensitive species. If you have questions, please contact David Pelren at 931-261-5844 or by email at [david\\_pelren@fws.gov](mailto:david_pelren@fws.gov).

Sincerely,

Field Supervisor