



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Asheville Field Office
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Asheville, North Carolina 28801

December 19, 2023

Crystal C. Amschler
Project Manager, Asheville Regulatory Field Office
U.S. Army Corps of Engineers
151 Patton Avenue, Room 108
Asheville, North Carolina 28801

Subject: Update to February 1, 2023 Reinitiation of Informal Consultation for Bridge 174 and 175 Replacement on Waterville Road (State Highway 1332) over Big Creek in Macon County (Service Log #13-108 / 13-109)

Dear Crystal Amschler:

On December 19, 2023, we received (via phone call and e-mail) a request to update a portion of the reinitiation of informal consultation and section 7 concurrence on effects the subject project may have on federally listed species, which was issued from our office on February 1, 2023. We have reviewed the information submitted and the following is provided in accordance with the provisions of the National Environmental Policy Act (42 U.S.C. § 4321 et seq.); the Fish and Wildlife Coordination Act, as amended (16 U.S.C. 661 - 667e); and section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 - 1543) (Act). This letter serves to update the concurrence letter issued from our office on February 1, 2023, via a change in the project description and Conservation Measures, and does not supersede that letter or our concurrence email dated April 16, 2019.

Project Description

No changes from the February 1, 2023 letter, with the exception of the following:

Conservation Measure #4 stated that no blasting would occur. That aspect of the project description was inaccurate, as blasting may occur in association with the bridge replacement projects. Therefore, that measure has been removed from the project description and from the North Carolina Department of Transportation's Conservation Measure commitments.

Federally Listed Species

No changes from the February 1, 2023 letter. The updated information above does not alter the analysis provided in the February 1, 2023 letter.

Conservation Recommendations

Section 7(a)(1) of the Act directs federal agencies to utilize their authorities to further the purposes of the Act by carrying out conservation programs for the benefit of endangered and threatened species. Conservation recommendations are discretionary agency activities to minimize or avoid adverse effects of a proposed action on listed species or critical habitat, to help implement recovery plans, or to develop information.

Given the proximity of the project to capture locations of northern long-eared bat, little brown bat, and tricolored bat, we encourage adoption of additional protective measures when feasible for this or similar projects. Previously offered recommendations remain valid. In addition:

- **Blasting**
 - If possible, plan to conduct blasting activities outside of the bat active season (March 15 – November 15 for gray bat, April 1 – October 15 for all other bats addressed in this consultation).
 - To minimize noise levels, incorporate sound-dampening devices such as blast mats and the use of overburden material.

Reinitiation Notice

We believe the requirements under section 7 of the Act are fulfilled for the federally listed species discussed above except the small-whorled pogonia. Obligations under section 7 must be reconsidered if: (1) new information reveals impacts of this proposed action may affect listed species or critical habitat in a manner not previously considered, (2) this proposed action is subsequently modified in a manner that was not considered in this review, or (3) a new species is listed, or critical habitat is determined that may be affected by the proposed action.

We appreciate the opportunity to provide these comments. Please contact Ms. Holland Youngman of our staff at holland_youngman@fws.gov if you have any questions. In any future correspondence concerning this project, please reference our Service Log #13-108 and 13-109.

Sincerely,

- - original signed - -

Janet Mizzi
Field Supervisor