



Bureau of Forestry

March 18, 2009

Richard Mellon
Mellon Biological Services
200 Flint Court, South
Yardley, PA 19067

c.c. Dr. Ann Rhoads
Senior Botanist
Morris Arboretum
9414 Meadowbrook Ave
Philadelphia, PA 19118

c.c. James Newbold, Regional Mgr.
Watershed Management
PA Department of Environmental
Protection, Southeast Regional Office
2 East Main Street
Norristown, PA 19401

c.c. Mr. Kenneth Kuhns
Siting Supervisor
PPL Electric Utilities Corporation
2 North Ninth Street (GENN 4)
Allentown, PA 18101

Re: Coopersburg #1 & #2 138/69kV Transmission Line
Springfield & Richland Twps., Bucks County; Upper Saucon Twp., Lehigh County
Pennsylvania Natural Diversity Inventory Review, PNDI Number 19141

Dear Mr. Mellon,

This letter rescinds our September 23, 2008 letter stating a Pennsylvania Natural Diversity Inventory (PNDI) "No Impact" determination. Two pieces of information make it necessary for DCNR to re-evaluate the determination made on September 23, 2008. First is the survey by Dr. Ann Rhoads, and second is the fact that one of the project alignments (Alternate # 3) has not been reviewed by our office. Please see the comments below in replacement of our previous letter.

Project History

The Coopersburg-Quakertown #1 & #2 138/69 kV Transmission Line project was originally received in our office on February 20, 2007. We reviewed this project for potential impacts to species of special concern using the PNDI database and available information. A survey was requested on April 10, 2007 for five species of special concern: *Iris prismatica* (PA Endangered), *Phlox pilosa* (PA Proposed Endangered), *Carex buxbaumii* (PA Proposed Rare), *Aster dumosus* (PA Tentatively Undetermined) and *Ratibida pinnata* (PA Tentatively Undetermined).

A survey was performed by Mr. Mellon and his report was received in our office August 15, 2008. Mr. Mellon's survey was performed at the appropriate time of year and surveyed the project area of "the Cross Country Route"; the survey resulted in no species of special concern found within the project area. This survey did find several vernal pools in the project area, habitat for *Carex buxbaumii* and one PA Watch-list species, *Carya lacinosa* (Shellbark hickory) present in the project area; PA Watch-list species are not tracked by PNDI. Based on the available information at the time, a determination of "No Impact" was made and a letter was sent on September 23, 2008 along with additional information about shellbark hickory and vernal ponds.

Receipt of New Information

Our office received Dr. Ann Rhoads' survey report from this project area on March 11, 2009. Dr. Ann Rhoads, Senior Botanist at Morris Arboretum, has furnished DCNR with a copy of her survey of the area which conflicts with the previous survey. Dr. Rhoads' survey agreed with Mr. Mellon's survey in that they both found *Carya lacinosa* along with habitat for *Carex buxbaumii*. However, Dr. Rhoads' survey also found *Hydrastis canadensis* (PA Vulnerable), *Orontium aquaticum* (PA Rare/Proposed Watch-list), and *Samolus parviflorus* (Tentatively Undetermined/PA Rare). She also noted that "it is expected that a survey earlier in the growing season would have revealed significant populations of *Carex buxbaumii* as well as other PNHP-listed plants or animals." Since it is DCNR Bureau of Forestry's mission to protect wild plants and species of special concern, our office needs to resolve the differences between the two surveys, both by experts in their field.

Our office has the ability to review additional information if it becomes available, and change determination if necessary, as stated in all our letters. In order to resolve conflicting reports, we will conduct another survey in the areas of question, using a PNHP botanist, to provide an impartial third observation. We would be remiss in not following through with this measure to

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determine whether or not *Carex buxbaumii* is present and visit the known location of *Samolus parviflorus* to determine if there will be any impacts to these species from the proposed project.

Other Problems with Project Area

In addition, our office has not received or reviewed all alternatives of the Coopersburg – Quakertown transmission line. It is unclear if the information submitted encompassed Alternative #1, “the Septa Route,” as this title was never given in our PNDI submission. We assume that Alternative #2 is “the Cross Country route,” or the route which Mr. Mellon surveyed, as this route matches up with Dr. Ann Rhoads’ survey area as well. Alternative #3, “the Route 309 Route,” was not received or reviewed by our office. We would like an opportunity to comment on the potential impacts that all project alternatives may have on species of special concern under DCNR’s jurisdiction.

This response represents the most up-to-date summary of the PNDI data files and is good for one (1) year from the date of this letter. An absence of recorded information does not necessarily imply actual conditions on-site. A field survey of any site may reveal previously unreported populations. Should project plans change or additional information on listed or proposed species become available, this determination may be reconsidered.

To complete your review of state and federally-listed species of special concern (those NOT under DCNR’s responsibility), please be sure the U.S. Fish and Wildlife Service, the PA Game Commission and the Fish and Boat Commission have been contacted regarding this project either directly or by performing a search with the online PNDI ER Tool found at www.naturalheritage.state.pa.us.

Rebecca H. Bowen

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