

**X - Practice will have “no effect” on federally threatened and endangered species**

**X O – Practice “may affect but not likely to adversely affect “(NLAA) threatened and endangered species WHEN:**

• Planned for:

1. cropland already or recently producing an agricultural commodity.
2. existing confined animal operations
3. existing orchards, nurseries and groves
4. actively managed pastureland, or hayland planted to introduced forage species
5. mines
6. nutrient management and waste utilization following practice standard setback from water bodies, streams and wetlands.
7. managing farm ponds for fish production
8. stack house (313) built in an existing cleared area

- Land already developed for commercial or residential purposes
- Repair of recently damaged existing facilities /structures;
- Facilities used in an agricultural operation that meet NRCS practice standards.

If a Filter Strip is planned adjacent to streams documented to contain Carolina Heelsplitter mussels or are listed as Carolina Heelsplitter mussel Critical Habitat, the Filter strip needs to be properly sized according to the drainage area, slope and species planned for establishment. Contact an NRCS Biologist for assistance

**For each of the practices below, they are not likely to adversely affect (NLAA) threatened and endangered species WHEN all of the above parameters (XO) are met AND the specific caveats stated below are met. In addition, when planning on forestland or pasture, the following practices are NLAA when the parameters outlined below are met.**

X\_O, A, Brush Management/Herbaceous Weed Control: Practice shall be implemented according to species specific recommendations: **Red-cockaded woodpecker:** Activities within an active RCW cluster (cluster includes all active cavity trees and a 200 ft. buffer surrounding these trees) are prohibited during the breeding season (breeding season is April 1-July 31). Outside of nesting season, limit activities to daylight hours and avoid activities within at least two hours of dawn and dusk. Prohibit the use of heavy machinery which may cause ground compaction and damage to tree roots. Avoid soil active chemicals (Velpar, Arsenal)near cavity trees.

**Flatwoods Salamander:** Establish and maintain a 1500 ft. undisturbed buffer between practice footprint and known Flatwoods Salamander ponds. **Gopher Tortoise:** establish a 25 foot buffer around any active borrows and prohibit the use of heavy machinery to treat brush.

For wetland sites with listed plants (Canby's dropwort or Pondberry) leave a 25 foot buffer, conduct all activities with hand tools, NO Gyrotracking. Avoid soil active chemicals (Velpar, Arsenal). Utilize Win PST to ensure application methods and mitigation requirements eliminate the possibility of leaching into sensitive areas.

If either of these practices are planned adjacent to streams documented to contain **Carolina Heelsplitter** mussels or are listed as Carolina Heelsplitter mussel Critical Habitat, the conservation plan must address the following: NO Chemical treatment from the stream surface to the top of bank, HAND and SPOT treatment application of chemicals from the top of bank out to a distance of 50 feet from the top of bank, and mechanical treatment beyond the 50 foot buffer, as needed. Contact an NRCS Biologist for assistance.

X\_O,B Critical Area Planting: Must establish and maintain a 100 ft. undisturbed buffer adjacent to streams within USFWS designated Shortnose Sturgeon Critical Habitat and/or Carolina Heelsplitter Mussel Critical Habitat or streams documented to contain Heelsplitter mussels. If practice occurs in counties documented to contain population of Schweinitz's sunflower (*Helianthus schweinitzii*) contact an NRCS Biologist for assistance. For practice establishment on coastal dunes in locations known to have seabeach amaranth and or loggerhead and leatherback turtle nesting sites, contact an NRCS Biologist for assistance. **PLANTING PLAN MUST INCLUDE ONLY SPECIES NATIVE TO THE SOUTHEAST OR SOUTH CAROLINA. (If the plan contains any non-native species, consultation is required.)**

X\_O,C,Firebreak and Fuel Break:

- Must NOT place firebreaks through Red-cockaded Woodpecker clusters at any time of the year.
- Must be at least 1500 ft. from known Flatwoods Salamander ponds.
- Do not establish plow or disked lines through known listed plant locations.
- Establish and maintain a 100 ft. undisturbed buffer adjacent to streams within the Carolina Heelsplitter Mussel Habitat.
- In cases where fire breaks are needed to tie into wetlands and streams to contain fires, use methods to prevent soil erosion and runoff including, but not limited to, constructing hand lines or using wet lines (a temporary fireguard created by wetting vegetation adjacent to the fuel to be ignited) where practicable. When using wet lines (a temporary fireguard created by wetting vegetation adjacent to the fuel to be ignited), avoid the use of foam or other retardants that may affect stream water quality.

X\_O, D Nutrient Management:

- Must follow South Carolina NRCS Practice Standard 590 Specifications.
- Must establish appropriate buffer widths between practice areas and any stream, wetland or other sensitive area when nutrients consist of manures and organic by-products

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- When applying commercial fertilizer the minimum setback buffer width will be based on the criteria found in the conservation practice standard for the type of conservation buffer used. (e.g., Filter Strip (Code 393), Riparian Forest Buffer (Code 391), Contour Buffer Strips (Code 332), Grassed Waterway (Code 412), and Field Border (Code 386).
- Must establish and maintain a 100ft. buffer adjacent to streams within USFWS designated Shortnose Sturgeon Habitat and the Listed Carolina Heelsplitter Mussel Habitat.

X\_O, E Pest Management, pesticide mitigation and avoidance:

- Must follow South Carolina NRCS Practice Standard 595 Specifications.
- If listed species are identified in close proximity avoid any impact during the nesting seasons.
- Identify and maintain a 100ft. buffer adjacent to streams within USFWS designated Shortnose Sturgeon Critical Habitat and the Listed Carolina Heelsplitter Mussel Habitat. In other locations adjacent to streams or wetlands, if unable to implement a 100ft. buffer, then use the following minimization measures:
  - Apply chemicals directly to target pest/invasive/noxious species. Spot treatment techniques suggested include "hack and squirt", "basal bark", "cut stump" and direct foliar spray.

X O, F Prescribed Burning:

If the project area has been part of a prescribed burn plan rotation AND there are no changes to the season, location or size of burn area, then practice implementation is NLAA.

For areas that have not been burned frequently and there is dense understory burns can only be implemented during winter or under damp weather conditions.

If Red-cockaded woodpecker (RCW) are present the prescribed burn plan then MUST follow species specific recommendations: Providing that burning can be conducted safely and with all other considerations, prescribed burning may be conducted during the RCW breeding season (breeding season is April 1-July 31)). RCW cavity trees will be protected by a variety and combination of methods including employing small preparation burns around cavity trees, raking fuels away from the base of the tree, mowing, weed whipping (use of a "weed whacker" as a low impact alternative) and use of wet lines (a temporary fireguard created by wetting vegetation adjacent to the fuel to be ignited). When mowing or implementing other mechanical treatment practices, be aware that heavy machinery can compact soils and damage tree roots. To reduce these negative impacts, avoid repeated mowing and use of heavy equipment. The use of plow lines for cavity tree protection is prohibited.

If Bald Eagle are present: Prescribed burning shall not be implemented within 660 feet of any nest tree during the nesting season (nesting season is October 1-May 15). Establish and maintain a fire buffer around the nest tree to prevent crown or ladder fires which may damage the tree. "Preparation" of the fire buffer shall occur outside of the breeding season. If it is determined that a

which may damage the tree. Preparation of the fire buffer shall occur outside of the breeding season. If it is determined that a burn during the breeding season would be beneficial, conduct the burn only when neither adult eagles nor young are present at the nest tree (i.e. either before the particular nest is active or after the young have fledged from the nest). Contact an NRCS biologist before any prescribed burning is conducted during the breeding season.

**X O, G Diversion: Natural stream must NOT be diverted. Establish and maintain a 100 ft. undisturbed buffer adjacent to streams within the Carolina Heelsplitter Mussel Habitat or Critical Habitat.**

**"May Adversely Affect" Determinations:**

**X<sup>1</sup>** - When a land use disturbance or vegetation change is planned, the placement and /or timing of earthmoving, tree removal, land clearing or removal of vegetation (e.g. firebreaks) ground disturbance, construction, tillage, prescribe fire, and /or water management and the potential off-site or indirect effects associated with these practices may adversely affect threatened or endangered species. Contact an NRCS biologist for assistance when a threatened or endangered species is identified or thought to possibly exist in or near the project area and one of the aforementioned conditions apply.

**X<sup>2</sup>** – Herbicide/Pesticide application or chemicals used as part of this practice may adversely affect threatened and endangered species if present. Further investigation is required, Contact an NRCS Biologist for assistance when a threatened or endangered species is identified or thought to possibly exist in or adjacent to the project area.

**X<sup>3</sup>** – Practices proximal to or within streams, natural ponds, wetlands, wetland restoration, wetland enhancement, wetland creation, lakes, contact an NRCS Biologist for assistance when a threatened or endangered species or critical habitat is identified or thought to possibly exist or impacted in or adjacent to the project area.

**"Beneficial Effects" Determination**

**X<sup>4</sup>** Practice will have a beneficial effect if installed on existing cropland, pasture or grassed land adjacent to a stream or wetland with known aquatic threatened or endangered species.

**X<sup>5</sup>** Practice will have a beneficial effect when installed on land “recently” in agricultural production and the native ecological community for the site is to be restored.

**X<sup>6</sup>** Practice will have a beneficial effect when installed for native vegetation restoration and /or management.