

DATE:	DECEMBER 12, 2012	AUTHOR:	DANIEL BELIN (E&E)
SUBJECT:	NORTHERN PASS WILDLIFE AGENCY MEETING	LOCATION:	USFWS CONCORD FIELD OFFICE
ATTENDEES:	Carol Henderson (New Hampshire Fish and Game (NHFG)), Mike Marchand (NHFG), Jill Kilborn (NHFG), Will Staats (NHFG), Melissa Coppola (New Hampshire Natural Heritage Bureau (NHNHB)), Pete Bowman (NHNHB), Leighlan Prout (White Mountain National Forest), Maria Tur (U.S. Fish and Wildlife Service (USFWS)), Susi von Oettingen (USFWS), Brett Hillman (USFWS), Travis Beck (SE Group), Kent Sharp (SE Group), Dan Belin (Ecology and Environment, Inc. (E&E)), Courtney Dohoney (E & E), Caitlin Callaghan (Department of Energy (DOE))		

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## Meeting Details

### Project Update and Explanation of Roles and Responsibilities

After introductions, Dan Belin provided an update on the Project. Indications are that DOE expects a revised Presidential Permit Application submittal from Northern Pass by the end of December 2012 or January 2013. There was an extensive conversation regarding the difference in objectives and timing of the National Environmental Policy Act (NEPA) Environmental Impact Statement (EIS) and the New Hampshire Site Evaluation Committee (SEC) process. The SE Group/E & E team is responsible for collecting data and analyzing Project impacts for the EIS under the direction of DOE. The applicant, Northern Pass Transmission, and their consultant Normandeau and Associates, is responsible for preparing the application to the SEC seeking a Certificate of Site and Facility. The level of detail for the field surveys may differ between the federal and state processes as a result of the difference in objectives

Included within the Presidential Permit Application will be the proposed right-of-way (ROW) for the entire extent of the transmission line. With this information, the SE Group Team anticipates being able to conduct winter wildlife surveys beginning in February 2013. Although the final route is not currently available, the SE Group Team's goal is to work with the natural resource agencies now to establish the suite of biological surveys that will need to be conducted and the methodology to carry out each of those surveys with a particular emphasis on the winter surveys given time constraints. Once the proposed ROW is finalized the locations to survey can be quickly determined and field crews mobilized as the habitat suitability models and protocols will already have been established.

### Overall Issues Discussed

In addition to the resource specific discussions summarized below, there were several issues that applied to several of the surveys. One such issue was getting property access to allow for backtracking outside of the ROW. The SE Group Team stated that they will be limited to land access within the leased ROW unless Northern Pass has purchased the entire parcel (this may have occurred in portions of the northern 40 miles) and therefore can allow wider land access. This is specifically applicable to the American marten and Canada lynx tracking surveys, but also to vernal pool surveys and other wildlife. The SE Group team

acknowledged the concern and stated that they would attempt to inventory beyond the ROW where connectivity issues were a concern and there is an ability to access the land.

The survey timeline was also an issue brought up by NHFG on several occasions as they are concerned that some surveys could have a high annual variability as a result of weather conditions or other factors. The concern is that 2013 surveys may not accurately reflect true baseline conditions. The SE Group Team stated that they hope to be able to complete all field surveys during the 2013 calendar year, but understood the possibility of extending the surveys beyond 2013 if it is needed for the NEPA analysis.

Overall the SE Group team emphasized that this was a preliminary meeting in advance of the formal submittal of the route designed to initiate communication and establish points of contact and potential data needs. The SE Group team said they would be engaging the agencies in more detailed discussions about survey protocol and methodologies in order to accommodate agency concerns before finalizing their workplans and conducting field surveys.

#### Canada Lynx Surveys

Belin and Courtney Dohoney briefly explained the approach the SE Group Team had taken in 2012 in consultation with USFWS, USFS, and NHFG to develop a habitat suitability model that will be used to guide where field surveys for Canada lynx will occur. Currently the four components to the model are habitat (High-Elevation Spruce-Fir Forest, Lowland Spruce-Fir Forest, and Northern Hardwood-Conifer Forest), elevation greater than 2,000 feet, snowfall greater than 70 inches per year, and areas within 1-mile of a previously observed lynx location.

Jill Kilborn asked about the source of the snow dataset as Hoving used snowfall data for the lynx model that he developed that has a finer resolution than the NOAA data that is available. Kilborn also noted that it's likely that the NHNHB does not have the most recent data regarding lynx sightings from NHFG and she would make sure to get NHNHB the latest shapefiles of species occurrence. Will Staats commented that the tree species composition and age class should be the biggest factors in the model and that the LiDar data will be a tremendous help in identifying those characteristics.

Regarding the survey protocol, the SE Group Team intends to utilize the Maine Department of Inland Fisheries and Wildlife (MDIFW), which Kilborn and Staats agreed was an appropriate methodology. They also inquired about the use of game cameras which the SE Group Team noted that they intended to use. Staats suggested that the cameras could be set up in "hot spots" identified by the suitability model or NHFG knowledge. He said that the game cameras would be very helpful if snow and weather conditions prevent the surveyors from finding conclusive lynx tracks. A University of New Hampshire student has had great success capturing lynx on the game cameras and Staats said he could put the SE Group Team in touch with him.

Staats requested that when the SE Group Team is conducting the surveys that in addition to collecting habitat information immediately surrounding the identified lynx track, that surveyors also record information on a broader habitat scale. He also requested that if lynx are identified that the NHFG and USFWS be notified immediately. The SE Group Team agreed to both requests and will update the Winter Work Plan to reflect those items.

#### American Marten Surveys

Using a similar approach as for the Canada lynx surveys, the SE Group Team explained the habitat suitability model that will be developed to target survey locations for the American marten and then the MDIFW tracking protocol will be implemented to determine the presence of American marten within the ROW. For the American marten, the suitability model inputs will include habitat (High-Elevation Spruce-Fir Forest and Lowland Spruce-Fir Forest) and areas within 1-mile of a previously observed marten location. Kilborn felt that including annual snow component to the model would be beneficial. She also noted that she has developed a marten habitat suitability model and that information could be provided for use with this project.

#### Deeryards and Moose Concentration Areas

Belin asked about the status of deer and moose in NH, noting that they have an economic value to the state, but whether there was an official designation afforded to them. Staats replied that no, there is no special designation for them but impacts from the project to the wintering deeryards and moose concentration areas could affect these important resources.

NHFG has mapped known deeryards and collects information pertaining to the status of these deeryards on a regular basis; this information was provided to the SE Group Team last year. The SE Group Team will make sure to get the most recent data prior to commencing field surveys this winter. Moose concentration areas have not been mapped by NHFG. Staats noted that NHFG would like the SE Group Team to document the locations of any deeryards or moose concentration areas that are encountered during other surveys so that if the ROW crosses these areas, impacts to this resource can be assessed.

Kristine Rines and Kent Gustafson were identified as the primary NHFG contacts for moose and deer respectively.

#### Important Mast Areas and Wildlife Corridors

Staats explained that in the northern extent of the project beech trees serve as important mast areas, and that in the southern extent, oak trees are more widespread and serve that role. Documenting the location of these resources within the disturbed ROW will be important in assessing impacts to wildlife that use these trees as a food source. The SE Group Team intends to document these trees as they are encountered during habitat/vegetation mapping surveys and will also record observations of active use by foraging animals (e.g. scratches on the tree from bears).

Regarding wildlife corridors, the SE Group Team will document any observations of these paths while out in the field conducting other field surveys. Peter Steckler from The Nature Conservancy developed a travel corridor model that could be used to aid in identifying wildlife corridors that may intersect the ROW. Katie Callahan from NHFG (GIS Analyst) has also done some connectivity studies and could provide that information.

#### Bats

The eastern small-footed bat and northern long-eared bat are currently under consideration by USFWS for listing under the Endangered Species Act; the eastern small-footed bat is also a USFS Sensitive Species. Leighlan Prout noted that the USFS has recently added the little brown bat and tri-colored bat to their sensitive species list due to the population impacts from the spread of white nose syndrome. Susi von Oettingen felt that habitat that could be utilized by the eastern small-footed bat and the northern long-eared bat as described in the preliminary survey approach could underestimate areas that need to be searched. Dohoney agreed and stated that the SE Group Team could do a habitat assessment but wasn't sure of the

value of that considering the extensive amount of habitat that is likely to exist within the ROW. Dohoney asked Prout and von Oettingen what their recommended approach for determining baseline bat presence and species distribution would be for this project. Both said their preferred approach is to use acoustic monitoring instead of mist-netting due to the stress bats endure when they are captured in nets. They added that acoustic monitoring could be done in a couple of ways. Walking nightly transects in the ROW during the maternity season could be one method for obtaining bat data, while another option could be to place the detectors within the study area and leave them for a pre-determined length of time before moving them to the next survey location. The SE Group Team will continue to work with USFS and USFWS to establish a monitoring protocol to be implemented for this project.

#### Threatened and Endangered Plants

Melissa Coppola has worked extensively with Normandeau to develop a survey protocol for T&E plants and would prefer if the SE Group Team also utilized this survey protocol. Melissa will provide this survey protocol to the SE Group Team. It was also recommended by NHFG and USFWS that a botanist with small-whorled pogonia identification experience be utilized for this project. The SE Group Team will evaluate botanical experience internally and if necessary, will bring in an independent expert for this survey.

#### Mussels and Fisheries

Mike Marchand (NHFG) noted that the SE Group Team should plan to conduct freshwater mussel surveys in addition to the planned fisheries surveys. In addition to the direct effect the project could have on stream beds which could impact mussels and fish, NHFG also noted the potential for indirect impacts in the form of increased stream temperature due to a reduction in the shading from the removal of the tree canopy above streams. The SE Group Team understands this concern and will make sure to consider this impact when preparing the EIS.

#### Breeding Bird Surveys

The SE Group Team intends to conduct breeding bird surveys along the ROW during the upcoming field season. Staats pointed out that the SE Group Team should be on the lookout for Northern Harrier (a state-listed endangered species) nests during the BBS and Maria Tur mentioned that Bicknell's Thrush needed to be on the list of species for surveys. The SE Group Team will make sure the BBS protocols incorporate these and noted that they would be providing much more detail in future drafts and work with the agencies to incorporate their comments in advance of spring surveys.

#### Vernal Pools

Both NHFG and USFWS felt that impacts to vernal pools are a big concern for this project. The SE Group Team intends to survey for vernal pools during the spring. Prout noted that USFS has had some success predicting vernal pool locations using soil survey data and that information could be helpful in targeting survey locations for the SE Group Team. She will provide the criteria the USFS has developed to identify those locations.

#### **Action Items**

- Jill Kilborn to work with NHNHB to ensure that all Canada lynx and American marten records from NHFG are included in the NHB dataset.
- Kilborn and Staats to provide names and contact information for Canada lynx tracking specialists who could be utilized for this project as well as UNH student who has used game cameras for lynx.
- Melissa to provide T&E plan survey protocol that was previously developed with Normandeau for the project.

- Leighlan Prout to provide USFS criteria for identifying potential vernal pools using soil survey data.
  - SE Group team to provide Marchand the shapefile for the existing ROW (southern 140 miles)
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