

May 13, 2014

Kershaw County Economic Development Office Post Office Box 763 Camden, South Carolina 29021

Attention: Peggy B. McLean, Director

peggy.mclean@kershaw.sc.gov

Reference: Protected Species Assessment

Governor's Hill Site – 210.46 Acres

674 Mt. Olivet Road

Camden, Kershaw County, South Carolina

S&ME Project No. 4261-14-035

Dear Ms. McLean:

S&ME, Inc. (S&ME) is pleased to submit our Protected Species Assessment for the above-referenced site located in Kershaw County, South Carolina. Our work was performed in general accordance with S&ME Proposal No. 14-1400112, dated February 7, 2014, and our Agreement for Services (AS-071).

1.0 PROJECT BACKGROUND

This Protected Species Assessment has been conducted to assess the potential for the presence of protected species on the site in preparation for proposed development of the Governor's Hill Site as an industrial/light industrial business park. S&ME is requesting the technical assistance (in the form of a written Response Letter) of the U.S. Fish and Wildlife Service (USFWS) as to whether site development would likely result in "take" as defined under Section 9 of the Endangered Species Act (ESA). The 210.46-acre site is located at 674 Mt. Olivet Road approximately four miles southeast of downtown Camden in Kershaw County, South Carolina as shown on Figures 1-3 in Appendix A.

2.0 SITE/ HABITAT DESCRIPTIONS

The site is located in southeastern Kershaw County within the Southeastern Plains/Atlantic Southern Loam Plains ecoregion of South Carolina. The site is surrounded by secondary roads, forestland, and residential parcels. The site primarily consists of four habitat types:

- Planted Pine Stand
- Pine-Mixed Hardwood Forestland
- Road Corridors and Ruderal Communities
- Aquatic Features (Forested Wetlands and Streams)

Please refer to Figure 3 and the site photographs in Appendix A for depictions of these habitat types.

Planted Pine Stand (Photograph 1)

A planted pine stand was observed on the northern portion of the site. Dominant overstory species included loblolly pine (*Pinus taeda*) approximately 15-20 years old. Midstory species included water oak (*Quercus nigra*), wax myrtle (*Morella cerifera*), and sweet-gum (*Liquidambar styraciflua*). The understory was sparsely vegetated with muscadine (*Vitis rotundifolia*), yellow jessamine (*Gelsemium sempervirens*), and Japanese honeysuckle (*Lonicera japonica*).

Pine-Mixed Hardwood Forestland (Photographs 2-3)

A majority of the site consists of a pine-mixed hardwood forestland community. Dominant overstory and midstory species included loblolly pine, water oak, southern red oak (*Q. falcata*), various hickories (*Carya* spp.), sweet-gum, red-maple (*Acer rubrum*), and black cherry (*Prunus serotina*). Understory species included muscadine, Japanese honeysuckle, common greenbrier (*Smilax rotundifolia*), bracken fern (*Pteridium aquilinum*), ebony spleenwort (*Asplenium platyneuron*), and spotted wintergreen (*Chimaphila maculata*).

Road Corridors and Ruderal Communities (Photographs 5-8)

Several unimproved roads traverse the site including an approximate 100-foot wide main entrance road. Ruderal communities, dominated by plants growing where the natural vegetation cover has been disturbed by man, were observed along these road corridors. Dominant species observed included saplings of sweet-gum, red maple, and water oak as well as shrubby and weedy species such as winged sumac (*Rhus copallinum*), smooth sumac (*R. glabra*), blackberry (*Rubus* spp.), dog fennel (*Eupatorium capillifolium*), pokeweed (*Phytolacca americana*), and various other grasses and forbs.

Aquatic Features/Forested Wetlands and Streams (Photographs 9-12)

Forested wetlands were observed on the southern and central portions of the site. The overstory and midstory of the wetlands consisted of loblolly pine, water oak, sweet-gum, red maple, and Chinese privet (*Ligustrum sinense*). Ground cover included netted chainfern (*Woodwardia areolata*), muscadine, common greenbrier, Japanese honeysuckle, and southern lady fern (*Athyrium asplenioides*). Five perennial streams, one seasonal stream, and four ditch features were also observed on the site. Stream widths varied from two to eight feet.

3.0 METHODOLOGY

S&ME personnel reviewed the South Carolina Department of Natural Resources (SCDNR) and the USFWS websites in order to determine those species that are currently listed as federally protected (threatened or endangered) in Kershaw County. The results of this search, including identified protected species and preferred habitat, served as the basis of the field review and are presented in Table 1.

SCDNR maintains a database of elements of occurrence for protected species in the state of South Carolina. A search of this database did not reveal the known presence of federally protected species (occurrences) on or immediately adjacent to the site. Supporting information was researched for the purpose of identifying soil types, vegetative communities, and possible drainage features in the study area. The supporting information reviewed included aerial

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photography, topographic quadrangle maps, soil survey sheets, land use information, and data from the National Wetlands Inventory.

S&ME Biologists, Chris Daves and Chris Handley, performed field reviews on March 19, April 2, 3, and 16, and May 5, 2014. The information obtained from supporting documentation was integrated with the field review to identify potential areas of preferred habitat of protected species. Portions of the site that matched descriptions of preferred habitat for protected species listed in Table 1 were considered to be potential habitat for the respective protected species. These areas were subsequently field reviewed to confirm the presence/absence of the respective species.

4.0 PROTECTED SPECIES

Descriptions of the species and their respective federal status are identified in Table 1 and in Appendix B. The SCDNR and USFWS websites identified the following federally listed species for Kershaw County:

TABLE 1: PROTECTED FLORA & FAUNA SUMMARY

Species	Federal Status	Habitat Description	Species Impacted
Bald Eagle Haliaeetus leucocephalus	BGEPA	Coastlines, rivers, large lakes which provide adequate feeding grounds.	No
Red-Cockaded Woodpecker Picoides borealis	Е	Open pine stands with minimum age of 60 years; nests in live pines with red-heart disease.	No
Atlantic Sturgeon Acipenser oxyrinchus	Е	Shallow coastal waters and estuaries; spawns in freshwater areas.	No
Shortnose Sturgeon Acipenser brevirostrum	Е	Brackish water of large rivers & estuaries; spawns in freshwater areas.	No
Carolina Heelsplitter Lasmigona decorata	Е	Variety of substrates of river and creek beds, including mud, clay, sand, gravel, and cobble/bolder/bedrock; Catawba, Pee Dee, Savannah, and Saluda River systems.	No
Michaux's Sumac Rhus michauxii	Е	Open upland woods, along forest edges, roadsides, powerline easements, and clearings.	No

BGEPA = Bald & Golden Eagle Protection Act

E = Endangered

Bald Eagle

BIOLOGICAL OPINION: NO EFFECT

This large raptor has characteristic adult plumage consisting of a white head and tail with a dark brown body. Juvenile eagles are completely dark brown and do not fully develop the majestic white head and tail until the fifth or sixth year. Adults average about three feet from head to tail, weigh approximately 10 to 12 pounds and have a wingspread that can reach seven feet.

Generally, female bald eagles are larger than the males. The typical nest is constructed of large sticks and is lined with soft materials such as pine needles and grasses. The nests are very large, measuring up to six feet across and weighing hundreds of pounds. Nesting and feeding sites are generally in the vicinity of large bodies of open water (coastlines, rivers, large lakes).

The site does not contain suitable nesting habitat for the bald eagle. Although several large ponds are located in the vicinity of the site, there are no coastlines, rivers, or large lakes on or adjacent to the site considered suitable habitat for the bald eagle. In addition, no nests were observed on the site. Accordingly, future development of the site is not expected to impact this species.

Red-Cockaded Woodpecker

BIOLOGICAL OPINION: NO EFFECT

This black and white bird measures approximately seven inches long and has black and white horizontal stripes on its back. The cheeks and underparts are white and the sides are streaked in black. The cap and stripe on the throat and neck of the bird are black. Male individuals of the species have a small red spot on each side of the black cap and display a red crown patch after the first post-fledgling molt.

The red-cockaded woodpecker's range is closely linked to the distribution of southern pines. Loblolly and longleaf pines that are 60-plus years old are generally selected for nesting sites. However, other species of southern pines are occasionally used for nesting. The woodpecker usually excavates nest cavities in trees infected with a fungus that produces red-heart disease. Preferred nesting sites generally include relatively open, mature pine stands with an undeveloped or low understory layer. Foraging habitat is frequently limited to pine or pine-hardwood stands that are 30 years or older, with a preference for pine trees with a diameter of 10 inches or larger. The USFWS indicates that the maximum foraging range for the red-cockaded woodpecker is approximately one-half mile.

The site does not contain suitable habitat for red-cockaded woodpecker. There are no pine stands of sufficient age on or immediately adjacent to the site. Accordingly, future development of the site is not expected to impact this species.

Atlantic Sturgeon

BIOLOGICAL OPINION: NO EFFECT

The Atlantic sturgeon is a cartilaginous, anadromous fish growing to a length of up to 14 feet. Individuals are bluish-black or olive brown with a white belly and have five rows of plates along the body. Four barbels are located in front of the mouth are used to locate food along the bottom. The Atlantic sturgeon can be differentiated from the shortnose sturgeon by its larger size, smaller mouth, narrower snout, and their plates. This species migrates from salt water to freshwater to spawn from February to March. The Atlantic sturgeon's habitat consists of nearshore coastal waters along the Atlantic coast of North America.

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The site does not contain suitable habitat for Atlantic sturgeon. There are no rivers or large streams within the site. Accordingly, future development of the site is not expected to impact this species.

Shortnose Sturgeon

BIOLOGICAL OPINION: NO EFFECT

The shortnose sturgeon is a bony, anadromous fish growing to a length of up to four feet. Shortnose sturgeon exhibit five rows of plates along the body, with olive to black coloring along the back, and yellow to white coloring on the belly. Four barbels are located in front of the mouth are used to locate food along the river bottom. The shortnose sturgeon migrates from salt water to freshwater to spawn from April to May. The shortnose sturgeon's habitat consists of tidal river systems along the Atlantic coast of North America. This species typically occupies the channels and deeper holes within the river, while feeding in shallow areas at night.

The site does not contain suitable habitat for shortnose sturgeon. There are no rivers or large streams within the site. Accordingly, future development of the site is not expected to impact this species.

Carolina Heelsplitter

BIOLOGICAL OPINION: NO EFFECT

The Carolina heelsplitter is a medium-sized freshwater mussel with an ovate, trapezoid-shaped shell. The shell is yellowish, greenish-brown to dark brown in color. Younger specimen's shells have greenish-brown or black rays. The inside of the shell (nacre) is pearly-white to bluish-white. The umbo area is orange or a mottle-orange. The heelsplitter has been documented in Catawba, Pee Dee River, Saluda, and Savannah River basins and is often associated with Slate Belt morphology of the Piedmont ecoregion of the Carolinas. The Carolina heelsplitter has been recorded in a variety of substrates, including mud, clay, sand, gravel, and cobble/bolder/bedrock. A majority of these areas are without significant silt accumulations and are along stable, well-shaded stream banks. Habitat is severely affected by siltation.

The site does not contain suitable habitat for Carolina heelsplitter. Although there are streams on the site, the site itself is not located in the Slate Belt region of the Piedmont. Accordingly, future development of the site is not expected to impact this species.

Michaux's Sumac

BIOLOGICAL OPINION: NO EFFECT

Michaux's sumac is a densely hairy, deciduous shrub that generally grows between one to three feet in height. The leaves are compound, alternate, and divided into rows of 9-13 stalkless leaflets. Leaflets are winged at the base with toothed edges. The flowers are greenish-yellow to white. Michaux's sumac blooms from May to June. Fruiting (drupes) occurs August to October. The habitat of Michaux's sumac is open upland woods, along forest edges, roadsides, powerline easements, and clearings.

The site contains areas that may provide suitable habitat for the Michaux's sumac along the various roads and within the ruderal communities. S&ME conducted a field survey (May 5) during the flowering season to determine the presence or absence of the species. Michaux's sumac was not observed on the site. Accordingly, future development of the site is not expected to impact this species.

5.0 QUALIFICATIONS

The field survey was lead by Chris Daves of S&ME. Mr. Daves is a biologist and natural resources project manager with over 13 years of experience in environmental consulting. Mr. Daves is proficient in conducting wetland delineations, environmental permitting activities, and habitat assessments, including protected species surveys. He is a Professional Wetland Scientist (PWS) and holds a B.S. degree in Biology from Wofford College and a Master's degree in Earth & Environmental Resources Management from the University of South Carolina. Mr. Chris Handley holds a B.S. degree in Forest Resource Management and a Master's degree in Forest Resources (GIS Emphasis) from Clemson University.

6.0 REFERENCES CITED

Cummings, Candace J. and G.K. Yarrow. 1996. A Guide to South Carolina's Endangered and Threatened Species – EC 693. Clemson Extension Service.

South Carolina Department of Natural Resources. 2012. Rare, Threatened, and Endangered Species Inventory, Species Found in Kershaw County - http://www.dnr.sc.gov/species/index.html.

South Carolina Heritage Trust. 2006. Geographic Database of Rate and Endangered Species. Current On-Line Edition - https://www.dnr.sc.gov:4443/pls/heritage/species.login.

USFWS. 2013. South Carolina List of Endangered, Threatened & Candidate Species. http://www.fws.gov/charleston/EndangeredSpecies County.html.

U.S. Department of Agriculture – National Resources Conservation Service Web Soil Survey. 2014. http://websoilsurvey.nrcs.usda.gov/app/.

7.0 SUMMARY AND CONCLUSIONS

Based on the literature review, habitat assessment, and pedestrian field review of the site, it is our opinion that the site does not provide suitable habitat for the federally listed species for Kershaw County, except for Michaux's sumac. The pedestrian field review did not reveal the presence of federally listed protected species on the site. In summary, the proposed development of the site will have "no effect" on these species.

No further action is recommended at this time. This Protected Species Assessment will be forwarded to the USFWS for review and comment. The comments will be provided to you as soon as S&ME receives them.

8.0 CLOSING

S&ME appreciates the opportunity to be of service to you by performing this Protected Species Assessment for the site. Please contact us at (803) 561-9024 with questions regarding this report or if you require additional information.

Sincerely,

S&ME, Inc.

Chris Handley Biologist

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Chris Handley

Chris Daves, P.W.S.

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Appendix A

Figures
Site Photographs

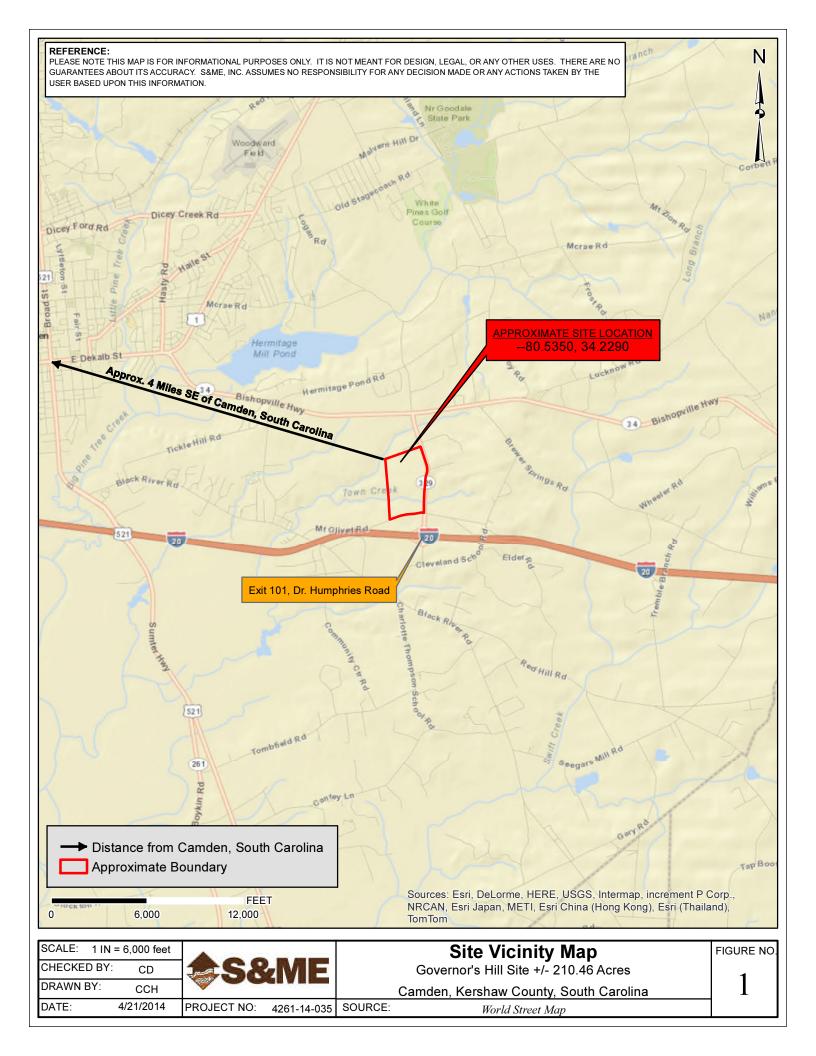
Appendix B

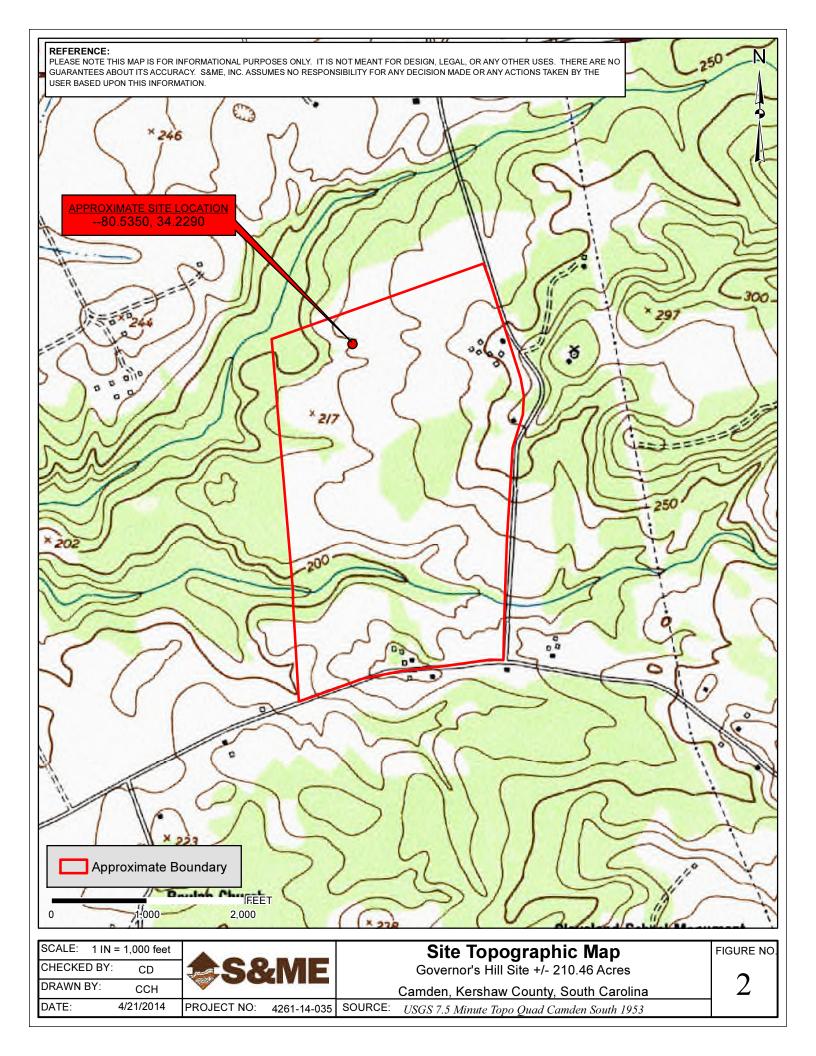
County Species Lists from USFWS and SCDNR

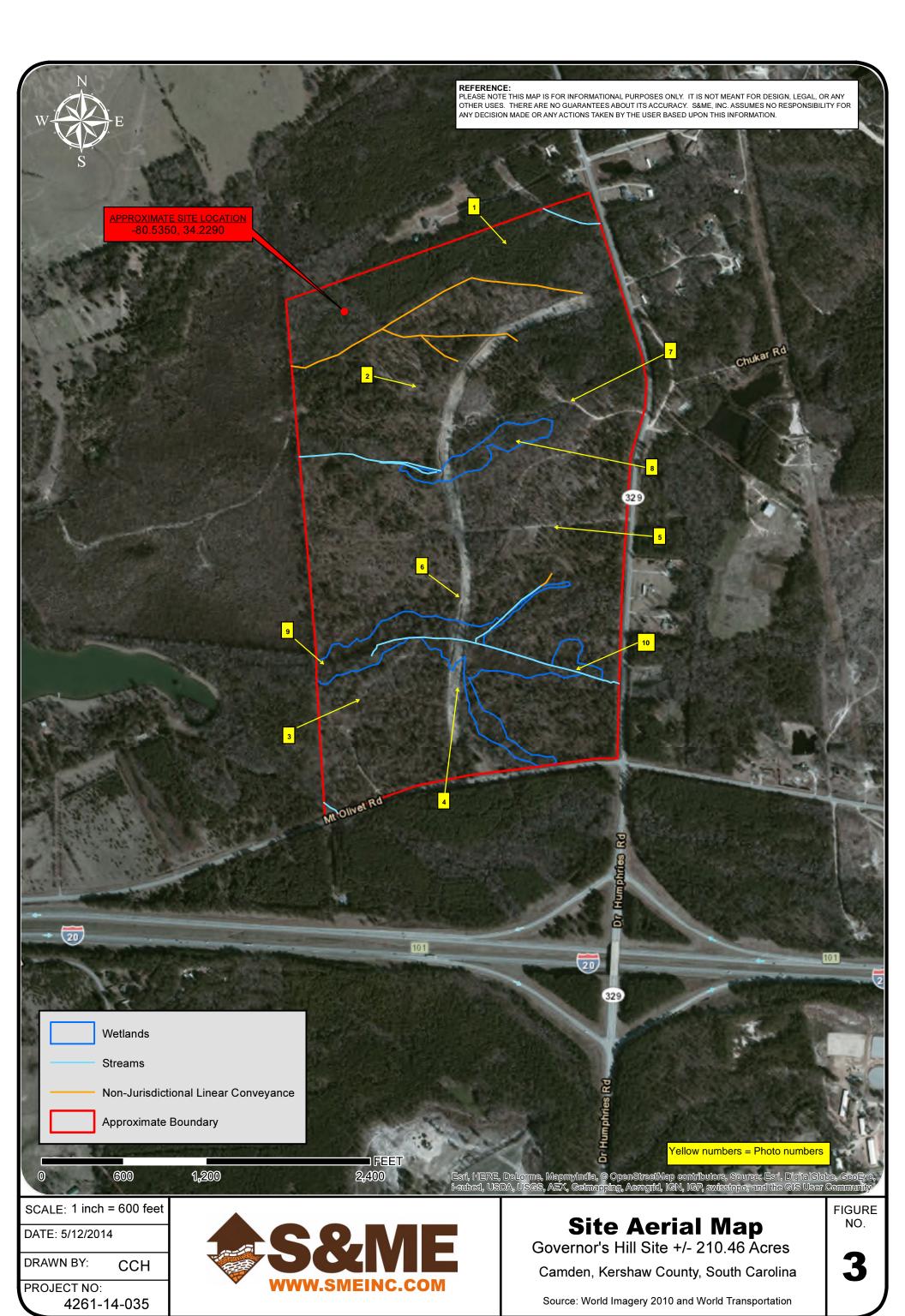
APPENDIX A

Figures

Site Photographs









Planted pine stand on northeastern portion of site.



Pine-mixed hardwood forestland on southwestern portion of site.



Pine-mixed hardwood forestland (secondary growth) on north-central portion of site.



Road corridor and ruderal community along its edges. Southern portion of site.

Site Photographs Governor's Hill Site Camden, Kershaw County, South Carolina

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Road corridor and ruderal community along its edges. Eastem portion of site.



Winged sumac (Rhus copallinum) commonly observed along roads on the site. Also, smooth sumac (R. glabra) was commonly observed in similar areas.

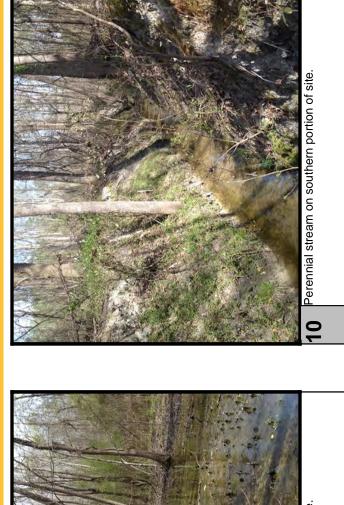


Road corridor and ruderal community along its edges. Central portion of site.



Forested wetland on northern portion of site.





APPENDIX B

County Species Lists from USFWS and SCDNR For Kershaw County

South Carolina List of At-Risk, Candidate, Endangered, and Threatened Species - Kershaw County

Contact National Marine Fisheries Service (NMFS) for more information on this species

** The U.S. Fish and Wildlife Service (FWS) and NMFS share jurisdiction of this species

ARS At-Risk Species - Species that the FWS has been petitioned to list and for which a positive 90-day

finding has been issued (listing may be warranted); information is provided only for conservation

actions as no Federal protections currently exist.

BGEPA Federally protected under the Bald and Golden Eagle Protection Act

C FWS or NMFS has on file sufficient information on biological vulnerability and threat(s) to support

proposals to list these species

CH Critical Habitat

E Federally Endangered

P or P - CH Proposed for listing or critical habitat in the Federal Register

S/A Federally protected due to similarity of appearance to a listed species

T Federally Threatened

COUNTY	CATEGORY	COMMON NAME	SCIENTIFIC NAME	STATUS
	Amphibian		None Found	
	Bird	Bald eagle	Haliaeetus leucocephalus	BGEPA
	Bird	Red-cockaded woodpecker	Picoides borealis	E
	Crustacean	Mimic crayfish	Distocambarus carlsoni	ARS
	Fish	American eel	Anguilla rostrata	ARS
	Fish	Atlantic Sturgeon*	Acipenser oxyrinchus*	E
	Fish	Blueback herring	Alosa aestivalis	ARS
	Fish	Carolina pygmy sunfish	Elassoma boehlkei	ARS
Kershaw	Fish	Robust redhorse	Moxostoma robustum	ARS
Kersilaw	Fish	Shortnose sturgeon*	Acipenser brevirostrum*	E
	Insect		None Found	
	Mammal		None Found	
	Mollusk	Brook floater	Alasmidonta varicosa	ARS
	Mollusk	Carolina heelsplitter	Lasmiigona decorata	E, CH
	Plant	Georgia aster	Symphyotrichum georgianum	С
	Plant	Michaux's sumac	Rhus michauxii	E
	Plant	Wire-leaved dropseed	Sporobolus teretifolius	ARS
	Reptile	Southern hognose snake	Heterdon simus	ARS

These lists should be used only as a guideline, not as the final authority. The lists include known occurrences and areas where the species has a high possibility of occurring. Records are updated as deemed necessary and may differ from earlier lists.

For a list of State endangered, threatened, and species of concern, please visit https://www.dnr.sc.gov/species/index.html.

Rare, Threatened, and Endangered Species and Communities Known to Occur in Kershaw County, South Carolina

February 10, 2012

Scientific Name	Common Name	USESA Designation	State Protection	Global Rank	State Rank
Vertebrate Animals					
Corynorhinus rafinesquii	Rafinesque's Big-eared Bat		SE-Endangered	G3G4	S2?
Elassoma boehlkei	Carolina Pygmy Sunfish		ST-Threatened	G2	S1
Etheostoma brevispinum	Carolina Fantail Darter			G4	SNR
Haliaeetus leucocephalus	Bald Eagle		SE-Endangered	G5	S2
Hyla andersonii	Pine Barrens Treefrog		ST-Threatened	G4	5253
Myotis austroriparius	Southeastern Bat			G3G4	S1
Picoides borealis	Red-cockaded Woodpecker	LE: Listed endangered	SE-Endangered	63	S2
Puma concolor	Mountain Lion			G5	SH
Sciurus niger	Eastern Fox Squirrel			G5	S4
Semotilus lumbee	Sandhills Chub			G3	S2
<u>Invertebrate Animals</u>					
Elliptio congaraea	Carolina Slabshell			G3	S3
Lasmigona decorata	Carolina Heelsplitter	LE: Listed endangered	SE-Endangered	G1	S1
<u>Animal Assemblage</u>					
Waterbird Colony				GNR	SNR
<u>Vascular Plants</u>					
Anemone berlandieri	Southern Thimble-weed			G4?	S1
Anemone caroliniana	Carolina Anemone			G5	SH
Draba aprica	Open-ground Whitlow-grass			G3	S1
Isoetes piedmontana	Piedmont Quillwort			G3	S2
Kalmia cuneata	White-wicky			G3	S2
Litsea aestivalis	Pondspice			G3	S3
Minuartia uniflora	One-flower Stitchwort			G4	S3
Myriophyllum laxum	Piedmont Water-milfoil			G3	S2
Nestronia umbellula	Nestronia			G4	S3
Nolina georgiana	Georgia Beargrass			G3G5	S3
Portulaca umbraticola	Wing-podded Purslane			G5	S1
Quercus georgiana	Georgia Oak			G 3	S1
Rhus michauxii	Michaux's Sumac	LE: Endangered		G2G3	SX

Scientific Name	Common Name	USESA Designation	State Protection	Global Rank State Rank	State Rank
Scirpus etuberculatus	Canby Bulrush			G3G4	SNR
Sedum pusillum	Granite Rock Stonecrop			63	52
Sporobolus teretifolius	Wire-leaved Dropseed			l G2	51
Syngonanthus flavidulus	Yellow Pipewort			G5	52
Tofieldia glabra	White False-asphodel			<u>G4</u>	S1S2
Trillium lancifolium	Narrow-leaved Trillium			63	51
Viola pubescens var. leiocarpon	Yellow Violet			G5T5	52
Communities					
Atlantic white cedar swamp				62	52
Bottomland hardwoods				G5	54
Non-alluvial swamp forest				G5	S4S5
Pine - scrub oak sandhill				G 4	54
Pond cypress pond				G 4	54
Seepage pocosin				63	S1S2
Xeric sandhill scrub				G5	53
<u>Ecological</u>					
Carolina bay				GNR	SNR
Granitic flatrock				[63	52