

**Coosa & Warrior – Section 7 Meeting – July 22, 2004**  
**Meeting Location - APC Corporate Headquarters - Birmingham, AL**

Revision 08-02-04

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**Attendees**

Jim Crew	APC	Jeff Powell	USFWS	Patric Harper	USFWS
Bill Sim	APC	Stephen Gidiere	B&B	Rob Fowler	B&B
Henry Mealing	Kleinschmidt	Shane Boring	Kleinschmidt		

**Action Items**

**Due Date**

- Distribute copies of the Tapoco BA to the group.  
Shane Boring August 5, 2004
- Draft meeting notes from 7-22-04 and distribute to attendees for comment  
Jim Crew August 5, 2004
- Review and Comment on the revised Section 7 Species Tracking Tables  
USFWS and APC August 1, 2004
- Begin filling in Species Tracking Table and work on BA  
Shane Boring August 5, 2004 – give update
- Prepare for next Section 7 Meeting  
All Attendees August 5, 2004 @ 10:00
- Continue to investigate USFWS coordination with USFS and NOAA Fisheries  
Jeff Powell, Patric Harper, or Larry Goldman ASAP

**Meeting Notes**

*These notes summarize the major items discussed during the meeting and are not intended to be a transcript or analysis of the meeting.*

Review of Action Items from last meeting:

- USFWS response to APC's January 14, 2004 letters  
APC has received USFWS Section 7 letters for both the Coosa and Warrior Projects.
- Review Draft meeting notes from 02-18-04 Section 7 Meeting  
APC sent out draft meeting notes on 3-1-04 and we received no comments.
- Investigate USFWS coordination with USFS and NOAA Fisheries  
USFWS is still checking into this subject.

Henry began the meeting by stating the meeting goals:

- 1) Identify and discuss the structure of the Biological Assessment (BA)
- 2) Identify and discuss an acceptable method to track species information and priorities
- 3) Identify and discuss the future meeting schedule.

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**Structure of the Biological Assessment (BA).**

Jeff Powell noted that the BA for the Gaston Hydroelectric project (NC) was a good example of an acceptable BA. Jeff also provided a copy of the Tapoco BA to Shane. Shane will make copies and provide those to the group. The BA should be a thorough document that contains all of the information necessary for USFWS to complete their analysis for the Biological Opinion (BO), if one is required. The group agreed that APC and USFWS should gather as much information during the informal stage of consultation as possible. After completion of the BA and USFWS's review of it, FERC and USFWS may need to enter "formal" consultation. The formal consultation process under Section 7 of the ESA will automatically kick in specific review timeframes. Formal consultation will result in a BO by USFWS.

If formal consultation is triggered, the BO will likely have an "Incidental Take Statement" like the one currently in place for operations at Jordan. This is especially the case in restoration or augmentation efforts for T&E species.

The project detail in the BA could come directly from the Initial Information Packages developed at the beginning of relicensing or those developed for the Applicant Prepared Environmental Assessments. The baseline for the BA is current conditions. The BA should also incorporate an "Alternatives Analysis" – what will happen if changes are made vs. if they are not.

The BA will also contain recommendations for reintroduction or enhancements of T&E species in various areas of the project. This will be addressed in the BA and the BO (if required)– preferably not as a required reasonable and prudent measure, but as a part of the proposed action by the applicant. There was discussion about listing these reintroductions as "non-essential" populations or using other mechanisms like Safe Harbor Agreements. The group agreed to continue discussion of this item at future meetings.

**Method to Track Species Information and Priorities**

Shane and Henry presented a "Section 7 Species Tracking Tool" for the Coosa and Warrior Projects. The tables contained the following columns headers:

Common Name	Scientific Name	Counties of Occurrence	Federal Status
Impacted by Project	BA Process Priority	Existing FWS Recovery Plan	Data Needs

To make the tracking tables consistent with the Section 7 process, the group suggested that the inputs for the "Impacted by Project" column include:

*No Effect      May Affect      Likely to Adversely Affect      Not Likely to Adversely Affect*

This classification will allow for an initial determination of "No effect" vs. "May Affect." For species identified as being within the "May Affect" category, a determination of "Likely to Adversely Affect" vs. "Not Likely to Adversely Affect" can then be made.

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Suggested columns to be added are:

*Restoration Plans other than FWS*                      *Critical Habitat*                      *Population status*  
*Project Species is associated with (inside the project boundary).*

The corrected tables are attached to these minutes **for review and comment** by the group.

Shane will begin filling in the tables and will start work on the Draft BA.

**Future Meeting Schedule**

The group agreed to meet for 1-hour every two weeks to discuss progress and/or questions. The first meeting will be on August 5, 2004 @ 10:00 AM Central.

We will use Jim Crew's conference line – 1-888-287-6197 Passcode #236583

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**Section 7 Species Tracking Tool: Coosa Basin**

Common Name	Scientific Name	Counties	Federal Status <sup>1</sup>	Impacted by Project <sup>2</sup>	BA Process Priority	Project(s) that Species is Associated with (inside the project boundary)	Existing Restoration Plan (FWS or Other)	Critical Habitat Identified	Population Status	Data Needs
bald eagle	<i>Haliaeetus leucocephalus</i>	Floyd, Cherokee, Coosa, Chilton	T							
red-cockaded woodpecker	<i>Picoides borealis</i>	Coosa	E							
blue shiner	<i>Cyprinella caerulea</i>	Cherokee, Coosa	T							
southern acornshell	<i>Epioblasma othcaloogensis</i>	Cherokee, Elmore	EDCH							
upland combshell	<i>Epioblasma metastrata</i>	Cherokee, Elmore	EDCH							
fine-lined pocketbook	<i>Lampsilis altilis</i>	Cherokee, Etowah, Shelby, Elmore	TDCH							
Alabama moccasinshell	<i>Medionidus acutissimus</i>	Shelby, Elmore	?							
Coosa moccasinshell	<i>Medionidus parvulus</i>	Cherokee, Shelby, Elmore	EDCH							
southern clubshell	<i>Pleurobema decisum</i>	Cherokee, Etowah, St. Clair, Talladega, Elmore	EDCH							
southern pigtoe	<i>Pleurobema georgianum</i>	Etowah, Cherokee, Shelby, Elmore	?							
ovate clubshell	<i>Pleurobema perovatum</i>	Cherokee, Elmore	EDCH							
triangular kidneyshell	<i>Ptychobranhus greenii</i>	Etowah, St. Clair, Talladega, Cherokee, Shelby, Elmore	EDCH							
Alabama leather-flower	<i>Clematis socialis</i>	Etowah	E							
Mohr's Barbara's buttons	<i>Marshallia mohrii</i>	Etowah	T							
harperella	<i>Ptilimnium nodosum</i>	Cherokee	E							
Kral's waterplantain	<i>Sagittaria secundifolia</i>	Cherokee	?							
green pitcher plant	<i>Sarracenia oreophila</i>	Cherokee, Etowah	E							
painted rocksnail	<i>Lextopis taeniata</i>	Chilton, Calhoun	T							
interrupted rocksnail	<i>Lextopis formanii</i>	Elmore	C							
Tulitoma snail	<i>Tulitoma magnifica</i>	Talladega, Shelby, Elmore, Coosa, Calhoun, St. Clair	EPCH							

<sup>1</sup> E – Federally Listed as Endangered

T - Federally Listed as Threatened

C - species is a Candidate for Federal Listing as Threatened or Endangered

EDCH - Federally Listed as Endangered and has Designated Critical Habitat in the counties surrounding the project.

TPDH - Federally Listed as Threatened and has Designated Critical Habitat in the counties surrounding the project.

<sup>2</sup> No Effect - May Affect

Not Likely to Adversely Affect - Likely to Adversely Affect

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**Section 7 Species Tracking Tool: Warrior Basin**

Common Name	Scientific Name	Counties	Federal Status <sup>1</sup>	Impacted by Project <sup>2</sup>	BA Process Priority	Project(s) that Species is Associated with (inside the project boundary)	Existing Restoration Plan (FWS or Other)	Critical Habitat Identified	Population Status	Data Needs
bald eagle	<i>Haliaeetus leucocephalus</i>	Cullman, Jefferson, Lawrence, Tuscaloosa, Walker, Winston	T							
red-cockaded woodpecker	<i>Picoides borealis</i>	Cullman, Jefferson, Lawrence, Tuscaloosa, Walker, Winston	E							
Cahaba shiner	<i>Notropis cahabae</i>	Jefferson	E							
orange-nacre mucket	<i>Lampsilis perovalis</i>	Lawrence, Winston	TDCH							
fine-lined pocketbook	<i>Lampsilis altilis</i>	Lawrence, Walker, Winston	TDCH							
Alabama moccasinshell	<i>Medionidus acutissimus</i>	Lawrence, Winston	TDCH							
Coosa moccasinshell	<i>Medionidus parvulus</i>	Winston	EDCH							
dark pigtoe	<i>Pleurobema furvum</i>	Lawrence, Winston	EDCH							
ovate clubshell	<i>Pleurobema perovatum</i>	Lawrence, Walker, Winston	EDCH							
triangular kidneyshell	<i>Ptychobranthus greenii</i>	Lawrence, Walker, Winston	EDCH							
Alabama streak-sorus fern	<i>Thelypteris pilosa var alabamensis</i>	Winston	T							
Kral's waterplantain	<i>Sagittaria secundifolia</i>	Winston	T							
Indiana bat	<i>Myotis sodalis</i>	Lawrence, Winston	E							
Black Warrior waterdog	<i>Necturus alabamensis</i>	Cullman, Jefferson, Lawrence, Tuscaloosa, Walker, Winston	C							
flattened musk turtle	<i>Sternotherus depressus</i>	Cullman, Jefferson, Lawrence, Tuscaloosa, Walker, Winston	T							

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EDCH - Federally Listed as Endangered and has Designated Critical Habitat in the counties surrounding the project.  
TPDH - Federally Listed as Threatened and has Designated Critical Habitat in the counties surrounding the project.

<sup>2</sup> No Effect - May Affect  
Not Likely to Adversely Affect - Likely to Adversely Affect