



North Carolina Department of Environment and Natural Resources  
Division of Natural Resources Planning and Conservation

Beverly Eaves Perdue  
Governor


Linda Pearsall  
Director

Dee Freeman  
Secretary

March 18, 2009

**MEMORANDUM**

TO: Melba McGee, DENR Environmental Coordinator

FROM: Katie Armstrong, NC Natural Heritage Program 

SUBJECT: EA – Proposed Waste Transfer Station, Orange County

REFERENCE: Project No. 09-0228

The NC Natural Heritage Program (NHP) has reviewed the Environmental Assessment (EA) for the proposed waste transfer station in southern Orange County. The NHP recognizes that this project has the potential to impact several federally and state listed species and at least one Aquatic Significant Natural Heritage Area (ASNHA). According to NHP data, one population of the Federal Species of Concern and State Endangered brook floater (*Alasmidonta varicosa*) was found in Collins Creek one km upstream and one km downstream of Old Greensboro Road (SR 1005), downstream of the proposed waste transfer site near NC-54 and Orange Grove Road. We have no evidence that Collins Creek has been surveyed farther upstream, closer to NC-54. Additionally, the portion of Collins Creek that supports brook floater and the area downstream to the Haw River are considered part of the Haw River Aquatic Habitat Significant Natural Heritage Area. A significant natural heritage area (SNHA) is an area of land or water identified by NHP as being important for protection of the State's biodiversity. Significant Natural Heritage Areas contain one or more high-quality or rare natural communities, rare species, and/or special animal habitats. This Aquatic Significant Natural Heritage Area (ASNHA) is considered to be of national significance because it contains one of just a few known sites for the endemic and Federally Endangered Cape Fear shiner (*Notropis mekistocholas*). The globally rare Septima's clubtail (*Gomphus septima*) is also present. Although it is within the extent of the map of Parks and Natural Areas (Exhibit G of the EA), the map neglected to include the portion of Collins Creek that has been designated Haw River Aquatic Habitat Significant Natural Heritage Area. This is a similar designation as Lower Cane Creek Slopes and Bottom SNHA (labeled Cane Creek Reservoir) and Pickards Mountain SNHA which are included on the map.

All species listed above are expected to be sensitive to sedimentation, runoff, and changes in hydrology that might affect the flow of Collins Creek and its tributaries, at least two of which originate within the

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project area. NHP is concerned about impacts to sensitive and rare species as well as direct water quality impacts of construction. The use of Natural Heritage Program data should not be substituted for actual field surveys. We recommend careful surveys for these species if suitable habitat is present within the project area. If rare species are encountered during surveys, we request that information about these occurrences be submitted to NC Natural Heritage Program at the address shown on our letterhead. Care should be taken to avoid impacts to rare species populations and their habitat. If impacts are anticipated, permitting and mitigation should be coordinated with the US Fish and Wildlife Service, NC Wildlife Resources Commission, and NC Plant Conservation Program, as appropriate.

Lastly, the EA states that a Surface Water Identification report identified several isolated pools (Feature F in Appendix A of the EA) that did not meet the criteria for stream buffer regulations. These upland pools often offer significant habitat value for breeding amphibians since their seasonal nature excludes fish populations that might otherwise prey on amphibian offspring. The EA states that approximately 20 acres out of the 149-acre parcel will be cleared. The NHP encourages Orange County to avoid sensitive habitats such as these if the waste transfer station is ultimately sited on this property.

Please contact me (919-715-7808, [katie.armstrong@ncmail.net](mailto:katie.armstrong@ncmail.net)) if you have any additional questions.

cc: Susan Walser, Orange County Voices  
Laura Streitfeld, Preserve Rural Orange