pennsylvania
FISH AND BOAT COMMISSION

October 9, 2025

IN REPLY REFER TO
SIR# 61250

Civil and Environmental Consultants, Inc.
Gretchen Addington
700 Cherrington Parkway
Moon Twp, Pennsylvania 15108

RE: Species Impact Review (SIR) – Rare, Candidate, Threatened and Endangered Species
PNDI Search No. 835709_1
Stargazer Renewable Development
Hamlin Township, Norwich Township, Sergeant Township: MCKEAN County

Dear Gretchen Addington:

In prior correspondence with the Commission, due to nearby known occurrences of the **Timber Rattlesnake (*Crotalus horridus,* Species of Concern)** within the vicinity of the proposed project, to further determine potential adverse impacts from the proposed project to the species of concern, a habitat evaluation was requested by the Commission (*SIR Letter dated May 22, 2025*). Subsequently, Dr. Glenn Johnson, Pennsylvania Qualified/Recognized and properly permitted Timber Rattlesnake Biologists, conducted a habitat assessment and documented potential denning/overwintering habitat as well as gestation/basking habitats within the project area.

According to his report (*Investigation and Evaluation of Potential Timber Rattlesnake Habitat at the proposed Stargazer Renewable Development, Hamlin, Norwich, and Sergeant Townships: McKean County Pennsylvania,* dated July 10, 2025), 4 elements of potential Timber Rattlesnake habitat were identified (1 element of potential denning habitat, 3 elements of potential gestation habitat) within the investigation area. Note that denning/overwintering habitat cannot be replaced.

Timber Rattlesnakes occur in relatively high elevation forested, mountainous regions of the Commonwealth. They prefer forested areas to forage for small mammals (e.g., mice and chipmunks) and southerly-facing slopes for hibernating and other thermoregulatory activities. The Timber Rattlesnake is threatened by habitat loss/alteration, wanton killing, and poaching. In Pennsylvania, Timber Rattlesnakes are a protected species. Special (venomous snake) permits are needed to hunt individual rattlesnakes, and only legal sized males (>42 inches) can be taken during a restricted hunting season. However, communal overwintering and gestation sites are considered critical habitats for the species and are therefore protected through the environmental review process. Also, due to the species being venomous, projects that come in close proximity to these critical habitats will likely encounter the species and potentially pose health and human safety concerns to project workers. Therefore, in these consultations, the PFBC aims to avoid and minimize impacts to the species and address health and human safety issues. We recommend the following guidelines to avoid impacts to Timber Rattlesnakes.

Potential Denning Habitat

Based on the information provided, the proposed project may impact potential denning habitat for the Timber Rattlesnake. In order to avoid direct impacts to these overwintering habitats, it is recommended that the **limits of disturbance of be moved/relocated 300 feet away from the mapped overwintering areas.** If this can be done, no further avoidance is needed, besides following best management practices during project implementation.

However, if relocation cannot be done, we request that a **presence/absence survey** be conducted in the project area. This survey should be completed by a qualified Timber Rattlesnake biologist (list enclosed) in accordance with the Pennsylvania Fish & Boat Commission's survey guidelines. Upon the completion of the survey, the qualified biologist is to submit a report to this office for review and comment.

It is important that biologists conducting the surveys have demonstrated experience in detecting Timber Rattlesnakes and their habitat, possess the skills necessary to handle this venomous species and possess the proper PFBC Scientific Collecting Permit. The surveyor will follow the Rattlesnake Presence-Absence Survey Guidelines (revised 2-27-2015) utilizing the procedures, survey times, and reporting criteria as contained therein. Because the target habitat type is potential hibernacula/den, the survey window is April 15-May 15. For your convenience, enclosed is a list of qualified rattlesnake surveyors.

Potential Gestation Habitat

If work within 300 feet of Potential Gestation Habitat is conducted during the dormant season of the Timber Rattlesnake, then I do not anticipate any adverse impacts to this species of special concern. **However, if work is to be conducted from April 15-October 15, then I recommend that you take the following precautions to safeguard workers and rattlesnakes:**

1. A PFBC approved Timber Rattlesnake biologist who has the proper permits (Scientific Collector's Permit), and the proper skills to handle this venomous species will be on-site prior to and during construction.

2. The PFBC approved Timber Rattlesnake biologist will be on-site prior to and during construction activities, during the above time frame, to inspect and clear the area (including staging areas and access roads) of Timber Rattlesnakes and to capture and remove any rattlesnakes that may interfere with work activities.

3. Timber Rattlesnakes observed on-site are to be measured, sexed, and the habitat characterized where the snake was found. All captured snakes should be released within close proximity (under 100 meters) of the capture site if possible. Rattlesnake captures and relocations are to be documented by photographs, habitat descriptions, in addition to being mapped and labeled accordingly. The biologist is to submit a report to this office (Natural Diversity Section) following the completion of the project documenting all of the activity and herpetofauna encountered.

4. If erosion control fabric is to be used at this site, materials that are known to reduce the risk of snake entrapment should be selected, such as loosely woven natural fiber ECM. Use of monofilament/plastic netting should be avoided.

5. Workers responsible for implementing this project should be advised that Timber Rattlesnakes

may be encountered and that avoidance is the best means of minimizing risks to personal safety. It is suggested a procedure be implemented for Timber Rattlesnake encounters and workers are to be advised that the Timber Rattlesnake is a state protected species and is not to be harmed. Killing of Timber Rattlesnakes is prohibited by the Commission pursuant to 58 Pa. Code Section 79.6.

6. During the construction period, PFBC personnel may communicate with the on-site biologist and may visit the site area periodically to view the progression of the project and answer any questions or concerns that may arise. For safety purposes, PFBC personnel will register with the on-site manager upon entering the construction area.

If impacts to gestation/basking habitat are unavoidable, then we recommend creation of suitable habitat (see attached) under the direction of a qualified surveyor.

Blue-Spotted Salamander (*Ambystoma laterale*, Endangered)

The Blue-Spotted Salamander is the rarest of the "mole" salamanders that occur in Pennsylvania. There are only three documented populations in the Commonwealth. Like the other mole salamanders (Spotted, Marbled, Jefferson), Blue-Spotted Salamanders live the majority of their lives underground, except during the breeding season, when they are observed moving to and from ephermeral/vernal pools. **Blue-Spotted Salamanders are generally associated with lowland swamps and marshes and surrounding uplands with sandy or loamy soils**.

Based on the review of this information and the proximity of the project to known element occurrences of the Blue-Spotted Salamander, potential habitat could be present within the proposed disturbance area. Therefore, additional evaluations are necessary to confirm whether or not the project site contains Blue-Spotted Salamander habitat and to determine the potential for adverse impacts to this species. We request completion of a **habitat assessment** to characterize and determine if potential habitat exists within the vicinity of the proposed project area.

A qualified biologist, who possesses the necessary Scientific Collector's Permit issued by the Pennsylvania Fish and Boat Commission, must conduct this habitat assessment. A list of biologists recognized as qualified by the Pennsylvania Fish and Boat Commission to perform this assessment is enclosed. If our staff are available, we may be able to conduct the habitat assessment. However, please be aware that because of the time demands on our staff, it is likely that we will not be able to visit your site for several months. If this is unsatisfactory, we suggest that you contact one of the surveyors on the enclosed list.

Bigmouth Shiner (*Notropis dorsalis*, Threatened)
Burbot (*Lota lota*, Endangered)

Rare or protected fish species are known from the vicinity of the project site. Given the status and sensitivity of the species of concern, we will need more information to allow for a more thorough evaluation of potential adverse impacts from the proposed project. Items such as a detailed narrative accurately describing the project including possible instream work, **stream crossings,** sequence of activities, **basic site plans and map,** aerial maps of the general area, project alternatives, stream characterizations, wetlands/waterways and acreage to be impacted, general habitat descriptions or onsite color photographs (keyed to a site map) would expedite our review process. Follow-up information may be uploaded to the PA Conservation Explorer site PNDI project file. Pending the review of this information a survey for the species of concern may be warranted.

This response represents the most up-to-date summary of the PNDI data and our files and is valid for two (2) years from the date of this letter. An absence of recorded species information does not necessarily imply species absence. Our data files and the PNDI system are continuously being updated with species occurrence information. Should project plans change or additional information on listed or proposed species become available, this determination may be reconsidered, and consultation shall be re-initiated.

If you have any questions regarding this review, please contact Josh Brown at [redacted] or [redacted] and refer to the SIR # 61250. Thank you for your cooperation and attention to this important matter of species conservation and habitat protection.

Sincerely,

[redacted]

Christopher A. Urban, Chief
Natural Diversity Section

CAU/JRB/dn

Enclosures