



MISSISSIPPI
DEPARTMENT OF WILDLIFE, FISHERIES, AND PARKS

Sam Polles, Ph.D.
Executive Director

November 16, 2009

Kristin Kerwin
NEPA Document Manager
Department of Energy
1617 Cole Boulevard
Golden, CO 80401

Re: BlueFire Fulton Renewable Energy Project
DOE/EA 1704
Fulton, Itawamba County, Mississippi

R# 7586

To Whom It May Concern,

In response to your request for information dated October 27, 2009, we have searched our database for occurrences of state or federally listed species and species of special concern that occur within 2 miles of the site of the proposed project. Please find our concerns and recommendations below.

Scientific Name	Common Name	Federal Status	State Status	State Rank
<i>Pleurobema decisum</i>	Southern Clubshell	LE	LE	S1S2
<i>Elliptio arca</i>	Alabama Spike			S3
<i>Percina lenticula</i>	Freckled Darter			S2

State Rank

S1 — Critically imperiled in Mississippi because of extreme rarity (5 or fewer occurrences or very few remaining individuals or acres) or because of some factor(s) making it vulnerable to extirpation.

S2 — Imperiled in Mississippi because of rarity (6 to 20 occurrences or few remaining individuals or acres) or because of some factor(s) making it vulnerable to extirpation.

S3 — Rare or uncommon in Mississippi (on the order of 21 to 100 occurrences).

State and Federal Status

LE Endangered — A species which is in danger of extinction throughout all or a significant portion of its range.

LT Threatened — A species likely to become endangered in foreseeable future throughout all or a significant portion of its range.

Recommendations:

Based on information provided, we conclude that if best management practices are properly implemented, monitored, and maintained (particularly measures to prevent, or at least, minimize negative impacts to water quality), the proposed project likely poses no threat to listed species or their habitats.

Please feel free to contact us if we can provide any additional information, resources, or assistance that will help minimize negative impacts to this area. We are happy to work with you to ensure that our state's precious natural heritage is conserved and preserved for future Mississippians.

Sincerely,



Joelle Carney, Database Manager/Conservation Biologist
Mississippi Natural Heritage Program
(601) 354-6367, ext. 180

The Mississippi Natural Heritage Program (MNHP) has compiled a database that is the most complete source of information about Mississippi's rare, threatened, and endangered plants, animals, and ecological communities. The quantity and quality of data collected by MNHP are dependent on the research and observations of many individuals and organizations. In many cases, this information is not the result of comprehensive or site-specific field surveys; most natural areas in Mississippi have not been thoroughly surveyed and new occurrences of plant and animal species are often discovered. Heritage reports summarize the existing information known to the MNHP at the time of the request and cannot always be considered a definitive statement on the presence, absence or condition of biological elements on a particular site.



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Mississippi Field Office
6578 Dogwood View Parkway, Suite A
Jackson, Mississippi 39213

November 24, 2009

Mr. Steve Blazek
U.S. Department of Energy
1617 Cole Boulevard
Golden, Colorado 80401-3393

Dear Mr. Blazek:

The Fish and Wildlife Service (Service) has reviewed your letter dated October 27, 2009, requesting information regarding the potential presence of federally listed species on a property in Itawamba County, Mississippi. Bluefire Ethanol is proposing to construct a bio-refinery near the City of Fulton along the Tennessee-Tombigbee Waterway (TTWW). Our comments are submitted in accordance with the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and the Fish and Wildlife Coordination Act (16 U.S.C. 661-667e).

The following species or their habitats could be found on or near the subject property:

Critical Habitat has been designated for seven federally listed mussel species within top bank of East Fork Creek and Bull Mountain Creek. The endangered heavy pigtoe mussel (*Pleurobema taitianum*), the endangered southern combshell mussel (*Epioblasma penita*), the endangered southern clubshell mussel (*Pleurobema decisum*), the endangered ovate clubshell mussel (*Pleurobema perovatum*), and the endangered black clubshell mussel (*Pleurobema curtum*), the threatened Alabama moccasinshell (*Medionidus acutissimus*), and the threatened orange-nacre mucket (*Lampsilis perovalis*) require clean, swiftly moving waters with pools and riffles.

Although the proposed work activities are not within the channels of these waterbodies, work activities that increase sedimentation and water turbidity in these watersheds could have adverse impacts on these species. Therefore, be advised that top bank and in-stream activities can affect aquatic habitats for several miles up and downstream.

In addition, the bald eagle (*Haliaeetus leucocephalus*) is known to nest along the TTWW. Although the bald eagle was officially removed from the List of Endangered and

Threatened Species as of August 8, 2007, it continues to be protected under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act (BGEPA).

Bald eagles nest in Mississippi from December through mid-May in mature trees (e.g., bald cypress, sycamore, willow, etc.) near fresh to intermediate marshes or open water. Nest sites typically include at least one perch with a clear view of the water or area where the eagles usually forage. Bald eagles are vulnerable to disturbance during courtship, nest building, egg laying, incubation, and brooding.

The Service developed the National Bald Eagle Management (NBEM) Guidelines to provide landowners, land managers, and others with information and recommendations regarding how to minimize potential project impacts to bald eagles, particularly where such impacts may constitute “disturbance,” which is prohibited by the BGEPA. A copy of the NBEM Guidelines is available at

<http://www.fws.gov/migratorybirds/issues/BaldEagle/NationalBaldEagleManagementGuidelines.pdf>.

If any presence of the bald eagle is found near the project site, further consultation with the Service may be necessary.

To protect these and other aquatic resources in the TTWW, we recommend that no discharges from the site be made into the river channel. In addition, we recommend that an emergency management plan be designed to address protocols for spill response and potential impacts to aquatic resources in the TTWW.

Thank you for the opportunity to participate in the planning and development of this project. If you have any questions, please contact this office (601) 321-1132.

Sincerely,

A handwritten signature in blue ink that reads "Kathy W. Lunceford". The signature is written in a cursive, flowing style.

Kathy W. Lunceford
Fish and Wildlife Biologist

Cc: FWS, Atlanta, GA
Attn: Jerry Ziewitz



WILDLIFE TECHNICAL SERVICES, INC.

June 17, 2009

Mr. Andy Sanderson
Mississippi Department of Wildlife, Fisheries and Parks
Museum of Natural Science
2148 Riverside Drive
Jackson, Mississippi 39202-1353

RE: **Project Bluefire**
Itawamba County, Mississippi
Environmental Assessment

Dear Mr. Sanderson:

Our firm is presently preparing an Environmental Assessment for the above referenced parcel of land located in Section 1, Township 10 South, Range 8 East, Itawamba County, Mississippi. The exact location of the property is shown on the attached U.S.G.S. Beans Ferry, Mississippi Quadrangle Map and the 2007 NAIP Aerial Photograph.

We respectfully request that your office review the location of the project site for issues of concern to your agency, particularly any issues relative to threatened and/or endangered plant and animal species, and that a written reply be forwarded to us with your comments and/or instructions regarding these issues.

If you require additional information regarding the project extent or the geographic areas, please feel free to call.

Sincerely,

A handwritten signature in black ink that reads "Walt Dinkelacker".

Walt Dinkelacker

Encl.



**MISSISSIPPI
DEPARTMENT OF WILDLIFE, FISHERIES, AND PARKS**

Sam Polles, Ph.D.
Executive Director

June 19, 2009

Walt Dinkelacker
Wildlife Technical Services, Inc.
P.O. Box 3658
Tupelo, MS 38803

Re: Project Bluefire
General / T & E Evaluation
Itawamba County, Mississippi

R# 7343

To Walt Dinkelacker,

In response to your request for information dated June 17, 2009, we have searched our database for occurrences of state or federally listed species and species of special concern that occur within 2 miles of the site of the proposed project. Please find our concerns and recommendations below.

Scientific Name	Common Name	Federal Status	State Status	State Rank
<i>Percina lenticula</i>	Freckled Darter			S2
<i>Etheostoma rupestre</i>	Rock Darter			S3

Based on information provided, we conclude that if best management practices are implemented, particularly measures to prevent, or at least, minimize negative impacts to water quality, the proposed project likely poses no adverse threat to listed species or their habitats.

Please feel free to contact us if we can provide any additional information, resources, or assistance that will help minimize negative impacts to this area. We are happy to work with you to ensure that our state's precious natural heritage is conserved and preserved for future Mississippians.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joelle Carney', with a long, sweeping flourish extending to the right.

Joelle Carney, Database Manager/Conservation Biologist
Mississippi Natural Heritage Program
(601) 354-6367, ext. 180

The Mississippi Natural Heritage Program (MNHP) has compiled a database that is the most complete source of information about Mississippi's rare, threatened, and endangered plants, animals, and ecological communities. The quantity and quality of data collected by MNHP are dependent on the research and observations of many individuals and organizations. In many cases, this information is not the result of comprehensive or site-specific field surveys; most natural areas in Mississippi have not been thoroughly surveyed and new occurrences of plant and animal species are often discovered. Heritage reports summarize the existing information known to the MNHP at the time of the request and cannot always be considered a definitive statement on the presence, absence or condition of biological elements on a particular site.



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Mississippi Field Office
6578 Dogwood View Parkway, Suite A
Jackson, Mississippi 39213

June 18, 2009

Mr. Walt Dinkelacker
Wildlife Technical Services, Incorporated
Post Office Box 3658
Tupelo, Mississippi 38803-3658

Dear Mr. Dinkelacker:

The Fish and Wildlife Service (Service) received your letter dated June 17, 2009, requesting information regarding federally listed species as it relates to a proposed development along the Tennessee-Tombigbee Waterway (TTWW) in Fulton, Itawamba County, Mississippi. Our comments are provided in accordance with the Endangered Species Act (16 U.S.C. 1531 et seq.).

The federally protected bald eagle (*Haliaeetus leucocephalus*) is known to nest along the TTWW. It nests from December through mid-May in mature trees (e.g., bald cypress, sycamore, willow, etc.) near fresh to intermediate marshes or open water. Breeding bald eagles occupy "territories" that they will typically defend against intrusion by other eagles, and that they likely return to each year. A territory may include one or more alternate nests that are built and maintained by the eagles, but which may not be used for nesting in a given year. Nest sites typically include at least one perch with a clear view of the water or area where the eagles usually forage.

Although the bald eagle was officially removed from the List of Endangered and Threatened Species as of August 8, 2007, it continues to be protected under the MBTA and the BGEPA. The Service developed the National Bald Eagle Management (NBEM) Guidelines to provide landowners, land managers, and others with information and recommendations regarding how to minimize potential project impacts to bald eagles, particularly where such impacts may constitute "disturbance," which is prohibited by the BGEPA.

A copy of the NBEM Guidelines is available at:
<http://www.fws.gov/migratorybirds/issues/BaldEagle/NationalBaldEagleManagementGuidelines.pdf>.

If any evidence of a bald eagle is found on the project site, no work activities should commence until this office is notified. If you have any additional questions, please contact this office, telephone: (601) 321-1132.

Sincerely,



Kathy W. Lunceford
Fish and Wildlife Biologist