



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Ecological Services, Eastern North Carolina Field Office
3916 Sunset Ridge Rd.
Raleigh, North Carolina, 27607

October 24, 2024

Ms. Katie Pfeiffer
McCloskey Builders, Inc.
2009 Pinewood Terrace
Fayetteville, North Carolina 28374

Re: 130 Torrey Pines Lane (Parcel ID# 00026683), Pinehurst, Moore County, North Carolina

Dear Ms. Pfeiffer:

This follows review of your August 28, 2024, email message and attachment containing information regarding proposed home construction on the subject parcel, 130 Torrey Pines Lane (Parcel ID# 00026683), in the Village of Pinehurst, Moore County, North Carolina. The red-cockaded woodpecker (*Picoides* [=*Dryobates*] *borealis*) is a federally listed species. The U.S. Fish and Wildlife Service (Service) offers the following comments in support of Section 9 of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543) (Act) and the Service's Private Lands Guidelines found in Appendix 5 of the Service's Recovery plan for the red-cockaded woodpecker (*Picoides borealis*): second revision (U.S. Fish and Wildlife Service 2003).

According to your October August 28, 2024, email messages and attachments, a biologist from Dr. J.H. Carter III & Associates conducted a visual survey of the identified parcel on July 30, 2024. A known relic cavity tree (#1076) on the property was inspected, which is associated with the foraging partition of abandoned red-cockaded woodpecker cluster SOPI 67. Additional information was received in a follow-up email message on October 17, 2024.

The Service's Recovery Plan defines a cluster as the aggregation of cavity trees used and defended by a group of red-cockaded woodpeckers and a 200-foot buffer of continuous forest. The Recovery Plan also outlines the minimum acreage, distribution and stocking levels of foraging habitat required to conserve a family group of red-cockaded woodpeckers. Requisite foraging habitat must be found in pine stands contiguous with the cluster and within a 0.5- mile radius of the cluster center.

Property development within a cluster and associated foraging habitat, if not carefully conducted is potentially harmful to red-cockaded woodpeckers and may violate the Act if not specifically authorized by the Service. Removing pine trees within the cluster contributes to habitat fragmentation, making red-cockaded woodpeckers more vulnerable to predation and more susceptible to having other species take over their cavities. The pine forest on this lot is likely being used for foraging and dispersal, and its protection is vital for red-cockaded woodpeckers in adjacent clusters; therefore, care should be exercised in removing as few mature pine trees as possible.

Based on the information provided in your August 28, 2024, email message and attachments, the footprint of the proposed construction activities including the residence and driveway total about 3,832 square feet (ft²) or approximately 19 % of the lot's square footage. The subject lot contains 20 pine trees greater than or equal to (\geq) 10 inches in diameter at breast height (DBH; 4 ½ feet above ground level) comprising a total of 27.33 ft² of pine basal area (BA). The subject lot is approximately 0.46 acre in size.

The construction plan indicates that 10 pine stems \geq 10 inches DBH, accounting for 14.69 ft² (54 percent) will be removed to complete home construction. Ten remaining pine trees \geq 10 inches DBH will provide approximately 12.64 ft², which is 5.76 ft² below the minimum recommended average stocking to sustain adequate red-cockaded woodpecker foraging habitat within the habitat matrix that supports foraging and dispersing woodpeckers in Moore County, including the Village of Pinehurst.

The cumulative loss of foraging and nesting habitat caused by residential and commercial construction is one of the primary threats to the continued existence of the red-cockaded woodpecker in the Pinehurst/Southern Pines/Carthage area. We encourage you to minimize the removal of mature pine trees greater than eight inches DBH, take measures to prevent damage to the bole and root systems of the remaining pine trees and to landscape with plant species native to the Sandhills ecosystem. Please substitute containerized longleaf pine seedlings for the proposed planting of 10-gallon loblolly pines and allow seed catch from standing longleaf pine to foster future habitat suitability. In addition to leaving as many small pines in place as possible, we recommend trimming or removing large branches as a first option instead of complete tree removal.

The cavity tree should be protected from damage and all measures taken to protect the integrity of its root system during any clearing or construction activities. Avoid operating heavy construction equipment within 25 feet of the cavity trees to prevent soil compaction that may damage the root system. One proven successful method is to construct a temporary fence around the cavity tree just outside of the canopy perimeter, which will prevent heavy equipment from inadvertently damaging the tree bole or roots.

Based on a review of the information contained in your August 28, 2024, email messages and attachments, we believe that conservation-minded removal of up to ten large pine trees, on Parcel ID# 00026683 at 130 Torrey Pines Lane in the Village of Pinehurst, Moore County, North Carolina is not likely to result in unauthorized, habitat-related take of the federally listed, endangered red-cockaded woodpecker. If there are any major changes to the plans that would require additional large pine trees to be removed, please contact our office to ensure the effects of the project are still fully and effectively minimized.

The results of the above-referenced survey are valid for a period of one (1) year from the date this letter was issued. However, this determination must be reconsidered if the project design is subsequently modified or if new information becomes available. Please use this letter as necessary to inform all potentially affected parties of this finding. If you have any questions regarding this matter, please contact Ms. Caroline Causey at 919-371-6785. Thank you for your continued cooperation with our agency.

Sincerely,

for Pete Benjamin

Literature cited:

U.S. Fish and Wildlife Service. 2003. Recovery plan for the red-cockaded woodpecker (*Picoides borealis*): second revision. U.S. Fish and Wildlife Service, Atlanta, GA. 296 pp.