



MASSWILDLIFE

DIVISION OF FISHERIES & WILDLIFE

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Jack Buckley, *Director*

March 10, 2017

Stephen J. Fisk
General Manager
O'Connell Energy Group
57 Suffolk Street, Suite 200
Holyoke, Massachusetts 01040

Re: Town: Orange
NHESP Tracking No.: **16-35313**
Request: Application of New Home Dam Project (FERC # P-6096) for Certification by the Low Impact Hydropower Institute – **Criterion F - Threatened and Endangered Species Protection**

Dear Mr. Fisk:

Thank you for contacting the Natural Heritage and Endangered Species Program of the MA Division of Fisheries & Wildlife (the "Division") for information regarding the applicant of New Home Dam (FERC P-6069) for Certification by the Low Impact Hydropower Institute.

Our database indicates that the Creeper (*Strophitus undulatus*), a freshwater mussel species of Special-Concern, is located within both ZoE 1 and ZoE2, as shown on the Criterion Attachment. Further, this species is documented throughout The Miller's River in Athol and Orange. The Creeper is protected pursuant to the Massachusetts Endangered Species Act (MESA) (M.G.L. c. 131A) and its implementing regulations (321 CMR 10.00).

The New Home Dam Project received authorization from our office (issued 3/2/2016) in regard to the proposed impoundment drawdown to conduct inspection, maintenance, repair and installation of eel way. We also require that if the New Home Dam Project conducts any other drawdowns (i.e., emergency, routine or maintenance), the Project shall consult with the Division regarding mussel protection measures. As long as the Project remains in compliance with the conditions issued, then there will be no negative effect on state-listed species.

If you have any questions about this letter, please contact Misty-Anne Marold, Endangered Species Review Biologist, at (508) 389-6356. We appreciate the opportunity to comment on this project.

Sincerely,

Thomas W. French, Ph.D.
Assistant Director

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