

APPENDIX E

INDIAN ORCHARD PROJECT

Threatened and Endangered Species Protection

There are no threatened or endangered fish³⁸ species listed under state or federal Endangered Species Acts present in the Facility area and/or the downstream reach. (A website link to a list of Massachusetts threatened, endangered or special concern species can be found in the footnote at the end of this Appendix).³⁹

In conjunction with the Environmental Assessment prepared by WMECO in connection with its application for an Exemption from Licensing, FWS and various Massachusetts agencies were consulted to determine whether any federally listed or proposed threatened and endangered species under the jurisdiction of MDFW or FWS are known to occur in the project area, with the exception of occasional, transient, individuals, including bald eagles. Neither the FWS nor any Massachusetts agency reported that any known federally listed populations of endangered, threatened or rare vegetative, fish or wildlife species occur in the project area and none were discovered during any field survey.

Currently, the shortnose sturgeon is the only federally listed endangered fish species in Massachusetts. The habitat and distribution of this species does not include the project area. Massachusetts lists several fishes as rare; however, MDFW reported that none of these species occur in headwaters, tributaries or other upstream or immediate downstream areas of the Chicopee River drainage affected by the Indian Orchard Project.

³⁸ As previously mentioned, references to fish specifically include eels.

³⁹ The Massachusetts Division of Fisheries and Wildlife maintains a list of threatened, endangered and special concern species on its website at http://www.mass.gov/dfwele/dfw/nhosp/species_info/mesa_list/mesa_list.htm. The following fish species are listed as threatened, endangered or special concern. None appear to be found in the Chicopee River immediate below or above the Indian Orchard Project (between Chicopee Falls Hydro and Putts Bridge Hydro on the Chicopee River).

Federally Endangered Species	Shortnose Sturgeon (<i>Acipenser brevirostrum</i>)
Massachusetts Endangered Species	Atlantic Sturgeon (<i>Acipenser oxyrinchus</i>) Lake Chub (<i>Couesius plumbeus</i>) Northern Redbelly Dace (<i>Phoxinus eos</i>) Shortnose Sturgeon (<i>Acipenser brevirostrum</i>)
Massachusetts Threatened Species	American Brook Lamprey (<i>Lampetra appendix</i>) Threespine Stickleback (<i>Gasterosteus aculeatus</i>)
Massachusetts Special Concern Species	Eastern Silvery Minnow (<i>Hybognathus regius</i>) Bridle Shiner (<i>Hybognathus regius</i>) Longnose Sucker (<i>Catostomus catostomus</i>) Burbot (<i>Lota lota</i>)

In its letter dated November 1, 2012, MDFW reported that no threaten, endangered or special concern rare species exist in the Facility area and/or its downstream reach.

In its letter dated January 17, 2012, FWS reported that no threaten, endangered or special concern species exist in the Facility area and/or its downstream reach.