

E. THREATENED AND ENDANGERED SPECIES PROTECTION

The Threatened and Endangered Species Protection Criterion is designed to ensure that the facility does not negatively impact state or federal threatened or endangered species. For threatened and endangered species present in the facility area, the Applicant must either demonstrate that the facility does not negatively affect the species, or demonstrate compliance with the species recovery plan and receive long term authority for a “take” (damage) of the species under federal or state laws.

As part of the licensing and permitting process, the Mahoning Creek Hydroelectric Company (MCHC) evaluated the potential for the project to negatively impact threatened and endangered species. MCHC engaged Hull & Associates to conduct a Natural Resource and Wetland Study in order to determine the potential for endangered and threatened species to occur in the project area. The study plan, which was provided to relevant resource agencies for review and was subsequently approved by the Federal Energy Regulatory Commission (FERC), included the following activities:

- A search of the Pennsylvania Natural Diversity Inventory (PNDI) to identify known endangered species in the project area.
- An interview with Mike Fowles, a USACOE Fish and Wildlife Specialist.
- A review of the USFWS's list of Federally Listed, Proposed, and Candidate Species in Pennsylvania.

In addition, MCHC also engaged EnviroScience to conduct a Freshwater Mussel and Fish Survey. These studies indicated that the project would have no significant impact on any threatened or endangered species.

Because the results of the PNDI search are only considered valid for one year, additional PNDI searches were conducted periodically to support various permit applications. These searches indicate that the project would have no impact on any threatened or endangered species. The results of the most recent PNDI search, conducted in late 2012 are presented in the Supplemental Materials. Also contained in Supplemental Materials are letters from the Pennsylvania Department of Conservation and Natural Resources and the Pennsylvania Fish & Boat Commission confirming that it is unlikely that the project would significantly impact any rare or endangered species.