

Phase I PNDI

September 17, 2012

VIA FEDERAL EXPRESS

PA Department of Conservation and Natural Resources
Bureau of Forestry, Ecological Services Section
400 Market Street
PO Box 8552
Harrisburg, PA 17105

Updated PNDI Review
Joint Permit Application for Water Obstruction and Encroachment Permit, 401 Water Quality Certificate, and Section 404 Permit and
National Pollutant Discharge Elimination System General
Permit Mahoning Creek Hydroelectric Project (FERC No. 12555)

To Whom It May Concern:

Mahoning Creek Hydroelectric Company, LLC (MCHC) would like to thank you for your November 1, 2011 response in regards to its request for a Pennsylvania Natural Diversity (PNDI) Environmental Review conducted in preparation for the Joint Permit Application for Water Obstruction and Encroachment Permit with the Pennsylvania Department of Environmental Protection (PA DEP) for the proposed Mahoning Creek Hydroelectric Project. As the Joint Permit is still pending, MCHC requests an update to your PNDI Environmental Review dated November 1, 2011, as the one-year expiration of the previous PNDI Environmental Review Receipt, dated October 14, 2011, is drawing near.

On March 4, 2011, the Federal Energy Regulatory Commission (FERC) issued MCHC an original license for the Mahoning Creek Hydroelectric Project. The Licensee proposes to construct a new powerhouse approximately 1,200 ft down from the existing Army Corps of Engineers' (USACE) Mahoning Creek Dam to accommodate a turbine generating system. The work proposed includes the creation of a new intake structure, penstock, tailrace, access road, and powerhouse. In support of the aforementioned permit applications, we ask for review of the project area for your determination of affect as it relates to potential rare, threatened, or endangered species and ecological communities.

Attached please find a project description with project area map. Also enclosed are an updated PNDI Environmental Review form and an updated PNDI Environmental Review Search Receipt. In addition, we are enclosing your previous environmental review letter for our Project indicating that no impact is anticipated.

If you have any questions or comments regarding this Project, please feel free to contact me at Kelly.Maloney@kleinschmidtusa.com. Thank you for your attention to this matter.

Sincerely,

KLEINSCHMIDT ASSOCIATES

Kelly Maloney
Project Licensing Coordinator

KOM: KLJ

Enclosures: Attachment A: Project Description
PNDI Environmental Review Form
PNDI Environmental Review Receipt
PACDNR Environmental Review Letter November 1, 2011

cc: David Sinclair, MCHC
Randy Dorman, Kleinschmidt

September 17, 2012

VIA FEDERAL EXPRESS

PA Game Commission
Bureau of Wildlife Habitat Management
2001 Elmerton Avenue
Harrisburg, PA 17110-9797

Updated PNDI Review
Joint Permit Application for Water Obstruction and Encroachment Permit, 401 Water Quality Certificate, and Section 404 Permit and
National Pollutant Discharge Elimination System General
Permit Mahoning Creek Hydroelectric Project (FERC No. 12555)

To Whom It May Concern:

Mahoning Creek Hydroelectric Company, LLC (MCHC) would like to thank you for your November 22, 2011 response in regards to its request for a Pennsylvania Natural Diversity (PNDI) Environmental Review conducted in preparation for the Joint Permit Application for Water Obstruction and Encroachment Permit with the Pennsylvania Department of Environmental Protection (PA DEP) for the proposed Mahoning Creek Hydroelectric Project. As the Joint Permit is still pending, MCHC requests an update to your PNDI Environmental Review dated November 22, 2011, as the one-year expiration of the previous PNDI Environmental Review Receipt, dated October 14, 2011, is drawing near.

On March 4, 2011, the Federal Energy Regulatory Commission (FERC) issued MCHC an original license for the Mahoning Creek Hydroelectric Project. The Licensee proposes to construct a new powerhouse approximately 1,200 ft down from the existing Army Corps of Engineers' (USACE) Mahoning Creek Dam to accommodate a turbine generating system. The work proposed includes the creation of a new intake structure, penstock, tailrace, access road, and powerhouse. In support of the aforementioned permit applications, we ask for review of the project area for your determination of affect as it relates to potential rare, threatened, or endangered species and ecological communities.

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If you have any questions or comments regarding this Project, please feel free to contact me at Kelly.Maloney@kleinschmidtusa.com. Thank you for your attention to this matter.

Sincerely,

KLEINSCHMIDT ASSOCIATES

Kelly Maloney
Project Licensing Coordinator

KOM: KLJ

Enclosures: Attachment A: Project Description
PNDI Environmental Review Form
PNDI Environmental Review Receipt
PGC Environmental Review Letter November 22, 2011

cc: David Sinclair, MCHC
Randy Dorman, Kleinschmidt

September 17, 2012

VIA FEDERAL EXPRESS

PA Fish & Boat Commission
Division of Environmental Services
Natural Diversity Section
450 Robinson Lane
Bellefonte, PA 16823-9620

Updated PNDI Review
Joint Permit Application for Water Obstruction and Encroachment Permit, 401 Water Quality Certificate, and Section 404 Permit and
National Pollutant Discharge Elimination System General
Permit Mahoning Creek Hydroelectric Project (FERC No. 12555)

To Whom It May Concern:

Mahoning Creek Hydroelectric Company, LLC (MCHC) would like to thank you for your timely response in regards to its October 14, 2011 request for a Pennsylvania Natural Diversity (PNDI) Environmental Review conducted in preparation for the Joint Permit Application for Water Obstruction and Encroachment Permit with the Pennsylvania Department of Environmental Protection (PA DEP) for the proposed Mahoning Creek Hydroelectric Project. As the Joint Permit is still pending, MCHC requests an update to your PNDI Environmental Review, dated November 15, 2011, as the one-year expiration of the previous PNDI Environmental Review Receipt, dated October 14, 2011, is drawing near.

On March 4, 2011, the Federal Energy Regulatory Commission (FERC) issued MCHC an original license for the Mahoning Creek Hydroelectric Project. The Licensee proposes to construct a new powerhouse approximately 1,200 ft down from the existing Army Corps of Engineers' (USACE) Mahoning Creek Dam to accommodate a turbine generating system. The work proposed includes the creation of a new intake structure, penstock, tailrace, access road, and powerhouse. In support of the aforementioned permit applications, we ask for review of the project area for your determination of affect as it relates to potential rare, threatened, or endangered species and ecological communities.

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Sincerely,

KLEINSCHMIDT ASSOCIATES

Kelly Maloney
Project Licensing Coordinator

KOM: KLJ

Enclosures: Attachment A: Project Description
PNDI Environmental Review Form
PNDI Environmental Review Receipt
PFBC Environmental Review Letter November 15, 2011

cc: David Sinclair, MCHC
Randy Dorman, Kleinschmidt

September 17, 2012

VIA FEDERAL EXPRESS

US Fish and Wildlife Service
Endangered Species Biologist
315 South Allen Street, Suite 322
State College, PA 16801

Updated PNDI Review
Joint Permit Application for Water Obstruction and Encroachment Permit, 401 Water Quality Certificate, and Section 404 Permit and
National Pollutant Discharge Elimination System General
Permit Mahoning Creek Hydroelectric Project (FERC No. 12555)

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On March 4, 2011, the Federal Energy Regulatory Commission (FERC) issued MCHC an original license for the Mahoning Creek Hydroelectric Project. The Licensee proposes to construct a new powerhouse approximately 1,200 ft down from the existing Army Corps of Engineers' (USACE) Mahoning Creek Dam to accommodate a turbine generating system. The work proposed includes the creation of a new intake structure, penstock, tailrace, access road, and powerhouse. In support of the aforementioned permit applications, we ask for review of the project area for your determination of affect as it relates to potential rare, threatened, or endangered species and ecological communities.

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Sincerely,

KLEINSCHMIDT ASSOCIATES

Kelly Maloney
Project Licensing Coordinator

KOM: KLJ

Enclosures: Attachment A: Project Description
PNDI Environmental Review Form
PNDI Environmental Review Receipt
USFWS Environmental Review Letter January 4, 2012

cc: David Sinclair, MCHC
Randy Dorman, Kleinschmidt

From: trackingupdates@fedex.com
To: [Sarah Woehler Michaud](#)
Subject: FedEx Shipment Notification
Date: Monday, September 17, 2012 12:51:30 PM

This tracking update has been requested by:

Company Name: KLEINSCHMIDT ASSOCIATES
Name: SARAH WOehler
E-mail: SARAH.WOehler@KLEINSCHMIDTUSA.COM

SARAH WOehler of KLEINSCHMIDT ASSOCIATES sent PA GAME COMMISSION of BUREAU OF LAND MANAGEMENT 1 FedEx Express Saver package(s).

This shipment is scheduled to be sent on 09/17/2012.

Reference information includes:

Reference: 1973002.01-20-11
Special handling/Services: Deliver Weekday
Status: Shipment information sent to FedEx
Tracking number: [495275331182](#)

To track the latest status of your shipment, click on the tracking number above, or visit us at fedex.com.

To learn more about FedEx Express, please visit our website at fedex.com.

This tracking update has been sent to you by FedEx on the behalf of the Requestor noted above. FedEx does not validate the authenticity of the requestor and does not validate, guarantee or warrant the authenticity of the request, the requestor's message, or the accuracy of this tracking update. For tracking results and fedex.com's terms of use, go to fedex.com.

Thank you for your business.

From: trackingupdates@fedex.com
To: [Sarah Woehler Michaud](#)
Subject: FedEx Shipment Notification
Date: Monday, September 17, 2012 12:47:18 PM

This tracking update has been requested by:

Company Name: KLEINSCHMIDT ASSOCIATES
Name: SARAH WOehler
E-mail: SARAH.WOehler@KLEINSCHMIDTUSA.COM

SARAH WOehler of KLEINSCHMIDT ASSOCIATES sent US FISH AND WILDLIFE SERVICES of ENDANGERED SPECIES SECTION 1 FedEx Express Saver package(s).

This shipment is scheduled to be sent on 09/17/2012.

Reference information includes:

Reference: 1973002.01-20-11
Special handling/Services: Deliver Weekday
Status: Shipment information sent to FedEx
Tracking number: [495275331171](#)

To track the latest status of your shipment, click on the tracking number above, or visit us at fedex.com.

To learn more about FedEx Express, please visit our website at fedex.com.

This tracking update has been sent to you by FedEx on the behalf of the Requestor noted above. FedEx does not validate the authenticity of the requestor and does not validate, guarantee or warrant the authenticity of the request, the requestor's message, or the accuracy of this tracking update. For tracking results and fedex.com's terms of use, go to fedex.com.

Thank you for your business.



BUREAU OF FORESTRY**Date: October 23, 2012****PNDI Number: 21998**

20120914372488, -372492

Kelly Maloney
Project Licensing Coordinator
Kleinschmidt Associates
141 Main Street
P.O. Box 650
Pittsfield, ME 04967
Fax: 207-487-3124 (hard copy will not follow)

Re: Update – Mahoning Creek Hydroelectric Project (Power Station, Water Conveyances and Transmission Line Upgrade)

County: Armstrong Township: Wayne/Redbank

Dear Ms. Maloney,

Thank you for the submission of the Pennsylvania Natural Diversity Inventory (PNDI) Environmental Review Receipt Number 21998 for review. PA Department of Conservation and Natural Resources screened this project for potential impacts to species and resources of concern under DCNR's responsibility, which includes plants, terrestrial invertebrates, natural communities, and geologic features only.

No Impact Anticipated

PNDI records indicate species or resources of concern are located in the vicinity of the project. However, based on the information you submitted concerning the nature of the project, the immediate location, and our detailed resource information, DCNR has determined that no impact is likely. No further coordination with our agency is needed for this project.

This response represents the most up-to-date review of the PNDI data files and is valid for two years only. If project plans change or more information on listed or proposed species becomes available, our determination may be reconsidered. For PNDI project updates, please see the PNHP website at www.naturalheritage.state.pa.us for guidance. As a reminder, this finding applies to potential impacts under DCNR's jurisdiction only. Visit the PNHP website for directions on contacting the Commonwealth's other resource agencies for environmental review. Should you have any questions or concerns, please don't hesitate to contact me at 717-772-0263 or c-rshockey@pa.gov.

Sincerely,

Handwritten signature of Richard L. Shockey in black ink.

Richard L. Shockey, Environmental Review Specialist
Pennsylvania Natural Heritage Program
DCNR Bureau of Forestry, Ecological Services Section

Handwritten signature of Rebecca H. Bowen in black ink.

Rebecca H. Bowen, Section Chief
Pennsylvania Natural Heritage Program
DCNR Bureau of Forestry, Ecological Services Section

conserve**sustain****enjoy**

P.O. Box 8552, Harrisburg, PA 17015-8552 717-787-3444 (fax) 717-772-0271



Pennsylvania Fish & Boat Commission

Division of Environmental Services
Natural Diversity Section
450 Robinson Lane
Bellefonte, PA 16823-9620
(814) 359-5237 Fax: (814) 359-5175

established 1866

**IN REPLY REFER TO:
SIR# 39569**

Kelly Maloney
Kleinschmidt Associates,
141 Main Street, P.O. Box 650
Pittsfield, Maine 04967-0650

**RE: Species Impact Review (SIR) – Rare, Candidate, Threatened and Endangered Species
PNDI Search No. 20120120914372488
Update to SIR 37395
Mahoning Creek Hydroelectric Project
Wayne and Redbank Townships, Armstrong County, Pennsylvania**

Dear Ms. Maloney:

I have reviewed your recent correspondence regarding the above referenced project and its potential to adversely impact rare and protected freshwater mussel species. Per my request, you supplied additional information regarding potential effects of the proposed projects on rare or protected mussels.

In several correspondences, including an email dated 22 September 2010 and additional correspondence dated 24 September 2010 you addressed project concerns posed by my staff. Included in your correspondences were a freshwater mussel and fish survey conducted by EnviroScience in 2007 and a CD containing several reports relevant to addressing PFBC concerns. Your responses to my staff inquiries indicate that Alternative B (~1,000 feet downstream of the dam, just downstream of the stilling basin) was the selected alternative. The mussel survey conducted in the vicinity of the selected alternative did not reveal the presence of any rare, threatened or endangered species. Additionally, your correspondence indicated that existing USACE operations will not change, that water temperatures are not likely to change much (0.5°C) from existing operations, and that the proposed project will have “no effect on downstream flows over existing conditions.” The reports indicate that the existing 0.5 mile tailrace was previously disturbed during dam construction and have been altered due to existing dam operations. In order to minimize any downstream impacts to mussels of concern, the PFBC recommends that appropriate E&S controls be implemented to avoid streambank erosion or scour which could lead to increased downstream sedimentation. Therefore, provided that strict E&S control measures are implemented and maintained throughout project area, with specific focus on the left descending bank and the opposite bank (if warranted) and best management practices are employed, we do not foresee any significant adverse impacts from the proposed activity to the freshwater mussel species of special concern or any other rare or protected species under Pennsylvania Fish & Boat Commission jurisdiction.

Note that this office performed no field inspection of the project area. Consequently, comments in this letter are not meant to address other issues or concerns that might arise concerning matters under Pennsylvania Fish and Boat Commission jurisdiction or that of other authorities. Please contact Nevin Welte at 412-586-2334 or c-nwelte@state.pa.us and refer to the Species Impact Review (SIR) number

Our Mission:

www.fishandboat.com

To protect, conserve and enhance the Commonwealth's aquatic resources and provide fishing and boating opportunities.

if you have any questions regarding this project. Thank you for your cooperation and attention to this matter of threatened and endangered species conservation.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher A. Urban". The signature is written in a cursive style with a large initial "C".

Christopher A. Urban, Chief
Natural Diversity Section

cc: DEP-SW Region



Pennsylvania Natural Diversity Inventory

Project Planning & Environmental Review Form

This form provides site information necessary to perform an Environmental Review for special concern species and resources listed under the Endangered Species Act of 1973, the Wild Resource Conservation Act, the Pennsylvania Fish and Boat code or the Pennsylvania Game and Wildlife Code.

Applicant Information

Name: Mahoning Creek Hydroelectric Company
 Address: 3000 Auburn Dr., Ste 430, Beachwood, Oh 44122
 Phone Number: 216-472-5581 Fax Number:

Contact Person Information - if different from applicant

Name: David Sinclair
 Address: 3000 Auburn Dr, Ste 430, Beachwood, Oh 44122
 Phone Number: 216-472-5581 Fax Number:

Project Information

Project Name: Mahoning Hydroelectric Project (Ferc No. 12555)
 Project Location: Mahoning Creek Dam On Mahoning Creek (Rm 22.9)
 Municipality: Redbank And Wayne County: Armstrong
 Attach a copy of a U.S.G.S. 7 1/2 Minute Quadrangle Map with Project Boundaries clearly marked.
 U.S.G.S. Quad Name: Distant, Pa (See Attachment A)

Project Description

Proposed Project Activity (including ALL earth disturbance areas and current conditions)

Mahoning Creek Hydroelectric Company, LLC (MCHC or Applicant), a wholly owned subsidiary of Advanced Hydro Solutions, Inc., proposes to construct a new powerhouse, with appurtenant water conveyances, approximately 1,200 feet (ft) downstream from the existing US Army Corps of Engineers (USACE) Mahoning Creek Dam to accommodate a turbine generating system with a gross head which varies from 64 to 87 ft, an estimated hydraulic capacity of 875 cfs, and an installed capacity of 6.0 MW. The proposed Project will take advantage of existing USACE operations and will not materially change the quantity, duration or timing of flows into Mahoning Creek downstream of the Project. A refurbished 0.56 mile access road off of T768 will be constructed to provide access to the site. (See Attachment A.)

Total Acres of Property: 9.17 Acreage to be Impacted: 4.21

1. Will the entire project occur in or on an existing building, parking lot, driveway, road, maintained road shoulder, street, runway, paved area, railroad bed, or maintained lawn? Yes No
2. Are there any waterways or waterbodies (intermittent or perennial rivers, streams, creeks, tributaries, lakes or ponds) in or near the project area, or on the land parcel? If so, how many feet away is the project?
 Yes 0 Feet No
3. Are wetlands located in or within 300 feet of the project area? Yes No If No, is this the result of a wetland delineation?

If you have a "PNDI Project Environmental Review Receipt" with potential impacts, please send a receipt copy, this completed form, and a USGS Quad Map to the agency/agencies noted on the receipt. If you are unable to generate a PNDI Receipt because you do not have Internet access, complete this form, attach a USGS Quad Map, and send them to your local DEP or County Conservation District. For review of a "Large Project," please send form and map to all the agencies listed below. See page 2 for more information.

Dept. of Conservation and Natural Resources
 Bureau of Forestry, Ecological Services Section
 400 Market St., PO Box 8552
 Harrisburg, PA 17105
 fax: 717-772-0271

PA Fish and Boat Commission
 Natural Diversity Section
 450 Robinson Lane
 Bellefonte, PA 16823
 fax 814-359-5175

PA Game Commission
 Bureau of Land Management

US Fish and Wildlife Service
 Endangered Species Biologist

How to Use the PNDI Project Planning & Environmental Review Form

How do I access the PNDI Environmental Review Tool?

Visit www.naturalheritage.state.pa.us. Click on "PNDI Project Planning and Environmental Review" on the bottom left corner of the homepage to access the tool. Follow this link to access the ER Tool and for step-by-step instructions on using the ER Tool, FAQ's and access to an electronic version of the PNDI Form.

When do I use this form?

1. *Before conducting the PNDI online search*

The Applicant can complete the PNDI Form and submit it to the person conducting the online PNDI Project Planning and Environmental Review Tool search. This person performing the search could be someone from DEP, the County Conservation Districts, or a consultant. Alternatively, if the Applicant plans to conduct the PNDI online search his or herself—a search form is not needed prior to the PNDI online search.

2. *After conducting the PNDI online search*

If your PNDI Project Environmental Review Receipt has "Potential Impacts," DEP and the jurisdictional agencies require that you submit additional information to the agencies noted on the Receipt for further review. Please send a copy of the PNDI Receipt, a completed PNDI Form, and a USGS 7.5 minute quadrangle map with project boundaries delineated on the map to the agencies referenced on your PNDI Receipt.

3. *If your Project is a "Large Project"*— too large/long to search on the online system

Projects are considered "Large Projects" when the ENTIRE project is:

- Linear/Large Projects that exceed map limits: approximately 2-2.84 miles depending on browser size
- Projects that will not fit on 1:24,000 scale map. Project Maximums: 1024 x 768 browsers: 2625 acres; 15,000 feet long x 7600 feet wide; approximately 2.84 miles 800 x 600 browsers: 1050 acres; 11,000 feet long x 4000 feet wide; approximately 2 miles
- Township-wide, Countywide or Statewide Projects. Examples: Act 537 Sewage Plans, Wind Farms, Roadway Improvements exceeding map limits above.

For "Large Project" review, please forward a completed PNDI Form and a USGS 7.5 minute quadrangle with project boundaries and quad name marked on the map to DCNR, PFBC, PGC, and USFWS (contact information on page 1 of form). Due to system limitations and agency requirements, projects should not be submitted piecemeal. The entire project area including roads and infrastructure should be submitted as a single unit.

PNDI Form Definitions

Applicant: Person that owns the property or is proposing the project or activity

Contact Person: Person to receive response if different than applicant (e.g. Consultant)

Project Name: Descriptive title of project (e.g. Twin Pines Subdivision, Miller Bridge Replacement)

Project Location: Description of actual location (e.g. Intersection of Smith and Clay Rd., Latitude & Longitude)

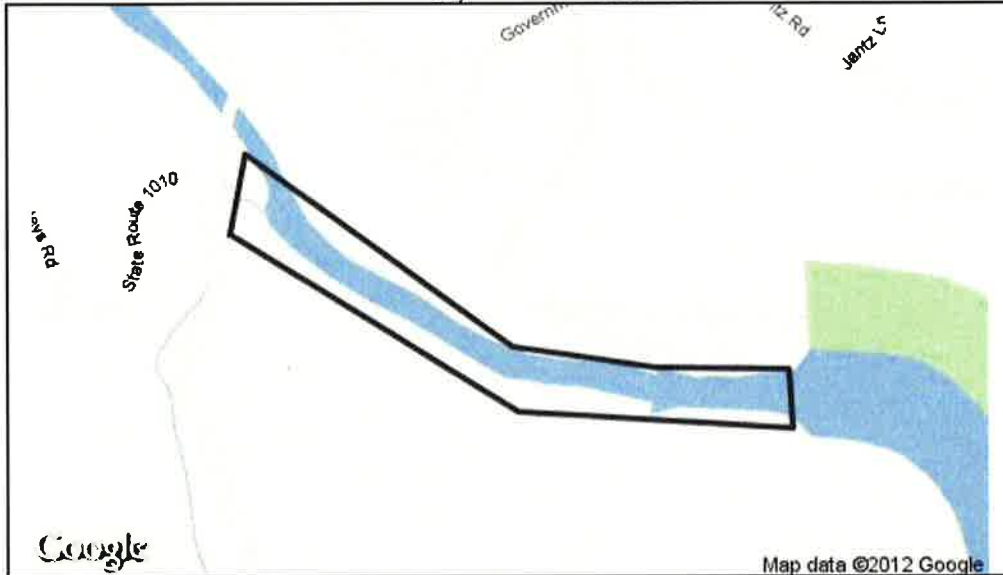
Proposed Activity: Include ALL earth disturbance activities for project (e.g. for a timber sale—include stream crossings, cutting areas and new roadway accesses). Also include Current Conditions (e.g. housing, farmland, current land cover), and how Construction/Maintenance Activity is to be accomplished

Total Acres of Property: Entire site acreage (e.g. timber sale property—including road access (200 acres)

Acreage to be Impacted: Disturbance acreage (e.g. timber sale—if the property is 200 acres, but only 100 acres will be disturbed, for example: cutting on 90 acres, a road impacting 10 acres); include all temporary and permanent activities

1. PROJECT INFORMATION

Project Name: **Mahoning Creek Hydroelectric Project**
 Date of review: **9/14/2012 11:45:04 AM**
 Project Category: **Energy Storage, Production, and Transfer, Energy Production (generation), Dam -- maintenance, modification, or removal**
 Project Area: **32.4 acres**
 County: **Armstrong** Township/Municipality: **Wayne, Redbank**
 Quadrangle Name: **DISTANT** ~ ZIP Code: **16222, 16242**
 Decimal Degrees: **40.922625 N, -79.286527 W**
 Degrees Minutes Seconds: **40° 55' 21.4" N, -79° 17' 11.5" W**



2. SEARCH RESULTS

Agency	Results	Response
PA Game Commission	No Known Impact	No Further Review Required
PA Department of Conservation and Natural Resources	No Known Impact	No Further Review Required
PA Fish and Boat Commission	No Known Impact	No Further Review Required
U.S. Fish and Wildlife Service	No Known Impact	No Further Review Required

As summarized above, Pennsylvania Natural Diversity Inventory (PNDI) records indicate no known impacts to threatened and endangered species and/or special concern species and resources within the project area. Therefore, based on the information you provided, no further coordination is required with the jurisdictional agencies. This response does not reflect potential agency concerns regarding impacts to other ecological resources, such as wetlands.

3. AGENCY COMMENTS

Regardless of whether a DEP permit is necessary for this proposed project, any potential impacts to threatened and endangered species and/or special concern species and resources must be resolved with the appropriate jurisdictional agency. In some cases, a permit or authorization from the jurisdictional agency may be needed if adverse impacts to these species and habitats cannot be avoided.

These agency determinations and responses are **valid for two years** (from the date of the review), and are based on the project information that was provided, including the exact project location; the project type, description, and features; and any responses to questions that were generated during this search. If any of the following change: 1) project location, 2) project size or configuration, 3) project type, or 4) responses to the questions that were asked during the online review, the results of this review are not valid, and the review must be searched again via the PNDI Environmental Review Tool and resubmitted to the jurisdictional agencies. The PNDI tool is a primary screening tool, and a desktop review may reveal more or fewer impacts than what is listed on this PNDI receipt. The jurisdictional agencies **strongly advise against** conducting surveys for the species listed on the receipt prior to consultation with the agencies.

PA Game Commission

RESPONSE: No Impact is anticipated to threatened and endangered species and/or special concern species and resources.

PA Department of Conservation and Natural Resources

RESPONSE: No Impact is anticipated to threatened and endangered species and/or special concern species and resources.

PA Fish and Boat Commission

RESPONSE: No Impact is anticipated to threatened and endangered species and/or special concern species and resources.

U.S. Fish and Wildlife Service

RESPONSE: No impacts to federally listed or proposed species are anticipated. Therefore, no further consultation/coordination under the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) is required. Because no take of federally listed species is anticipated, none is authorized. This response does not reflect potential Fish and Wildlife Service concerns under the Fish and Wildlife Coordination Act or other authorities.

4. DEP INFORMATION

The Pa Department of Environmental Protection (DEP) requires that a signed copy of this receipt, along with any required documentation from jurisdictional agencies concerning resolution of potential impacts, be submitted with applications for permits requiring PNDI review. For cases where a "Potential Impact" to threatened and endangered species has been identified before the application has been submitted to DEP, the application should not be submitted until the impact has been resolved. For cases where "Potential Impact" to special concern species and resources has been identified before the application has been submitted, the application should be submitted to DEP along with the PNDI receipt. The PNDI Receipt should also be submitted to the appropriate agency according to directions on the PNDI Receipt. DEP and the jurisdictional agency will work together to resolve the potential impact(s). See the DEP PNDI policy at <http://www.naturalheritage.state.pa.us>.

5. ADDITIONAL INFORMATION

The PNDI environmental review website is a **preliminary** screening tool. There are often delays in updating species status classifications. Because the proposed status represents the best available information regarding the conservation status of the species, state jurisdictional agency staff give the proposed statuses at least the same consideration as the current legal status. If surveys or further information reveal that a threatened and endangered and/or special concern species and resources exist in your project area, contact the appropriate jurisdictional agency/agencies immediately to identify and resolve any impacts.

For a list of species known to occur in the county where your project is located, please see the species lists by county found on the PA Natural Heritage Program (PNHP) home page (www.naturalheritage.state.pa.us). Also note that the PNDI Environmental Review Tool only contains information about species occurrences that have actually been reported to the PNHP.

6. AGENCY CONTACT INFORMATION

PA Department of Conservation and Natural Resources
Bureau of Forestry, Ecological Services Section
400 Market Street, PO Box 8552, Harrisburg, PA. 17105-8552
Fax:(717) 772-0271

U.S. Fish and Wildlife Service
Endangered Species Section
315 South Allen Street, Suite 322, State College, PA. 16801-4851
NO Faxes Please.

PA Fish and Boat Commission
Division of Environmental Services
450 Robinson Lane, Bellefonte, PA. 16823-7437
NO Faxes Please

PA Game Commission
Bureau of Wildlife Habitat Management
Division of Environmental Planning and Habitat Protection
2001 Elmerton Avenue, Harrisburg, PA. 17110-9797
Fax:(717) 787-6957

7. PROJECT CONTACT INFORMATION

Name: Sarah Woehler
Company/Business Name: Kleinschmidt Associates
Address: 141 Main St., P.O. Box 650
City, State, Zip: Pittsfield, ME 04967
Phone:(207) 487-3328 Fax:()
Email: Sarah.Woehler@kleinschmidtusa.com

8. CERTIFICATION

I certify that ALL of the project information contained in this receipt (including project location, project size/configuration, project type, answers to questions) is true, accurate and complete. In addition, if the project type, location, size or configuration changes, or if the answers to any questions that were asked during this online review change, I agree to re-do the online environmental review.

/s/ Sarah Woehler 9-14-12
applicant/project proponent signature date

TELEPHONE DISCUSSION NOTE

DATE: NOVEMBER 19, 2012

**PROJECT: MAHONING CREEK
HYDROELECTRIC PROJECT**

TIME: 3:34 PM

TALKED WITH: OLIVIA BRAUN MOWERY

PLACED:

RECEIVED: X

FROM:

BY: KERRY STROUT

Kerry Strout left a message for Olivia Mowery on 11/19/12 to follow up on the PNDI letter for the Mahoning Creek Hydroelectric Project. Olivia called back and relayed the following about why the letter is not yet submitted to KA:

Olivia was notified that a citizen spotted a bald eagle nest in the area of the project. She is not sure of the nest coordinates and if actually is found on project land at this time. Olivia is working with the PA Wildlife Management section to coordinate field staff to get out to the site to verify its existence, and to note its coordinates.

Olivia has a meeting tomorrow with the Wildlife Management and will hopefully schedule someone to visit the site within the next week.

Kerry relayed to Olivia that we are pulling together a package to be sent November 27th and the PNDI letter is an important piece of the package. Olivia is going to try her best to get the letter out before November 27th.

DISTRIBUTION:

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