



Ohio Department of Natural Resources

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October 28, 2022

Maryalice Fischer
Low Impact Hydropower Institute
1167 Massachusetts Avenue, Office 407
Arlington, MA 02476

Re: 22-0965; Belleville Lock and Dam Project (FERC No. 6939)

Project: The proposed project involves review of the low impact hydropower institution certification application.

Location: The proposed project is located in Olive Township, Meigs County, Ohio.

The Ohio Department of Natural Resources (ODNR) has completed a review of the above referenced project. These comments were generated by an inter-disciplinary review within the Department. These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the National Environmental Policy Act, the Coastal Zone Management Act, Ohio Revised Code and other applicable laws and regulations. These comments are also based on ODNR's experience as the state natural resource management agency and do not supersede or replace the regulatory authority of any local, state or federal agency nor relieve the applicant of the obligation to comply with any local, state or federal laws or regulations.

Natural Heritage Database: The Natural Heritage Database has the following data at or within one mile of the project area:

Tennessee Bladder Fern (*Cystopteris tennesseensis*), P
Rock Skullcap (*Scutellaria saxatilis*), T
American Eel (*Anguilla rostrata*), T
Blue Sucker (*Cyprinus elongatus*), T
Goldeye (*Hiodon alosoides*), E
Channel Darter (*Percina copelandi*), T
Gilt Darter (*Percina evides*), E
River Darter (*Percina shumardi*), T
Paddlefish (*Polyodon spathula*), T
Fanshell (*Cyprogenia stegaria*), E, FE
Butterfly (*Ellipsaria lineolata*), E
Snuffbox (*Epioblasma triquetra*), E, FE
Black Sandshell (*Ligumia recta*), SC
Washboard (*Megaloniais nervosa*), E
Threehorn Wartyback (*Obliquaria reflexa*), SC
Ohio Pigtoe (*Pleurobema cordatum*), E
Monkeyface (*Theliderma metanevra*), E

Fawnsfoot (*Truncilla donaciformis*), SC
Deertoe (*Truncilla truncata*), SC
Mixed mesophytic forest plant community

Conservation status abbreviations are as follows: E = state endangered; T = state threatened; P = state potentially threatened; SC = state species of concern; SI = state special interest; U = state status under review; X = presumed extirpated in Ohio; FE = federally endangered, and FT = federally threatened.

The review was performed on the specified project area and zones of effect, as well as an additional one-mile radius. Records searched date from 1980.

Please note that Ohio has not been completely surveyed and we rely on receiving information from many sources. Therefore, a lack of records for an area is not a statement that rare species or unique features are absent from that area. Although all types of plant communities have been surveyed, we only maintain records on the highest quality areas.

Fish and Wildlife: The Division of Wildlife (DOW) has the following comments.

The DOW recommends that impacts to streams, wetlands and other water resources be avoided and minimized to the fullest extent possible, and that Best Management Practices be utilized to minimize erosion and sedimentation.

The entire state of Ohio is within the range of the Indiana bat (*Myotis sodalis*), a state endangered and federally endangered species, the northern long-eared bat (*Myotis septentrionalis*), a state endangered and federally threatened species, the little brown bat (*Myotis lucifugus*), a state endangered species, and the tricolored bat (*Perimyotis subflavus*), a state endangered species. During the spring and summer (April 1 through September 30), these species of bats predominately roost in trees behind loose, exfoliating bark, in crevices and cavities, or in the leaves. However, these species are also dependent on the forest structure surrounding roost trees. If trees are present within the project area, and trees must be cut, the DOW recommends cutting only occur from October 1 through March 31, conserving trees with loose, shaggy bark and/or crevices, holes, or cavities, as well as trees with DBH ≥ 20 if possible. If trees are present within the project area, and trees must be cut during the summer months, the DOW recommends a mist net survey or acoustic survey be conducted from June 1 through August 15, prior to any cutting. Mist net and acoustic surveys should be conducted in accordance with the most recent version of the "[OHIO DIVISION OF WILDLIFE GUIDANCE FOR BAT SURVEYS AND TREE CLEARING](#)". If state listed bats are documented, DOW recommends cutting only occur from October 1 through March 31. However, limited summer tree cutting may be acceptable after consultation with the DOW (contact Eileen Wyza at Eileen.Wyza@dnr.ohio.gov).

The DOW also recommends that a desktop habitat assessment is conducted, followed by a field assessment if needed, to determine if a potential hibernaculum is present within the project area. Direction on how to conduct habitat assessments can be found in the current USFWS "[RANGE-WIDE INDIANA BAT & NORTHERN LONG-EARED BAT SURVEY GUIDELINES](#)." If a habitat assessment finds that a potential hibernaculum is present within 0.25 miles of the project area, please send this information to Eileen Wyza for project recommendations. If a potential or known hibernaculum is found, the DOW recommends a 0.25-mile tree cutting and subsurface disturbance buffer around the hibernaculum entrance, however, limited summer or winter tree cutting may be acceptable after consultation with the DOW. If no tree cutting or subsurface impacts to a hibernaculum are proposed, this project is not likely to impact these species.

The project is within the range of the following listed mussel species.

Federally Endangered

sheepnose (*Plethobasus cyphus*)
fanshell (*Cyprogenia stegaria*)
pink mucket (*Lampsilis orbiculata*)
snuffbox (*Epioblasma triquetra*)

State Endangered

washboard (*Megaloniaias nervosa*)
butterfly (*Ellipsaria lineolata*)
elephant-ear (*Elliptio crassidens*)
long-solid (*Fusconaia maculata maculata*)
Ohio pigtoe (*Pleurobema cordatum*)
pyramid pigtoe (*Pleurobema rubrum*)
monkeyface (*Quadrula metanevra*)
wartyback (*Quadrula nodulata*)

State Threatened

Salamander Mussel (*Simpsonaias ambigua*)

This project must not have an impact on native mussels. This applies to both listed and non-listed species, as all species of mussel are protected in Ohio. Per the Ohio Mussel Survey Protocol (2022), all Group 2, 3, and 4 streams (Appendix A) require a mussel survey. Per the Ohio Mussel Survey Protocol, Group 1 streams (Appendix A) and unlisted streams with a watershed of 5 square miles or larger above the point of impact should be assessed using the Reconnaissance Survey for Unionid Mussels (Appendix B) to determine if mussels are present. Mussel surveys may be recommended for these streams as well. Therefore, if in-water work is planned in any stream that meets any of the above criteria, the DOW recommends the applicant provide information to indicate no mussel impacts will occur. If this is not possible, the DOW recommends a professional malacologist conduct a mussel survey in the project area. If mussels that cannot be avoided are found in the project area, the DOW recommends a professional malacologist collect and relocate the mussels to suitable and similar habitat upstream of the project site. Mussel surveys and any subsequent mussel relocation should be done in accordance with the [Ohio Mussel Survey Protocol](#). If there is no in-water work proposed, impacts to mussels are not likely.

The project is within the range of the following listed fish species.

State Endangered

bigeye shiner (*Notropis boops*)
goldeye (*Hiodon alosoides*)
shoal chub (*Macrhybopsis hyostoma*)
speckled chub (*Macrhybopsis aestivalis*)
spotted darter (*Etheostoma maculatum*)
western banded killifish (*Fundulus diaphanus menona*)

State Threatened

American eel (*Anguilla rostrata*)
blue sucker (*Cycleptus elongatus*)
channel darter (*Percina copelandi*)
paddlefish (*Polyodon spathula*)

river darter (*Percina shumardi*)

The DOW recommends no in-water work in perennial streams from March 15 through June 30 to reduce impacts to indigenous aquatic species and their habitat. If no in-water work is proposed in a perennial stream, this project is not likely to impact these or other aquatic species.

The project is within the range of the eastern spadefoot toad (*Scaphiopus holbrookii*), a state endangered species. This species is found in areas of sandy soils that are associated with river valleys. Breeding habitats may include flooded agricultural fields or other water holding depressions. Due to the location, the type of habitat within the project area, and the type of work proposed, this project is not likely to impact this species.

Due to the potential of impacts to federally listed species, as well as to state listed species, we recommend that this project be coordinated with the US Fish & Wildlife Service.

Water Resources: The Division of Water Resources has the following comment.

The [local floodplain administrator](#) should be contacted concerning the possible need for any floodplain permits or approvals for this project.

ODNR appreciates the opportunity to provide these comments. Please contact Mike Pettegrew at mike.pettegrew@dnr.ohio.gov if you have questions about these comments or need additional information.

Mike Pettegrew
Environmental Services Administrator