

**LIHI Mid Term Review Application  
Tallasse Shoals Project**

**1. Introduction**

<b>Date of submittal to LIHI</b>	Jan 20, 2025
<b>Project Name, LIHI #, FERC No.</b>	Tallasse Shoals, LIHI #12, FERC No. 6951
<b>Current LIHI Term</b>	April 23, 2019 – April 22, 2029
<b>Effective date of the material change(s)</b>	November 20, 2024
<b>Material change(s) that occurred</b>	New FERC license and resulting facility and operational changes

The Tallasse Shoals Project received a new FERC license on November 20, 2024.<sup>1</sup> Appendix A provides a “crosswalk” table comparing the prior and new FERC license requirements. The Georgia Department of Natural Resources (GA DNR) did not act on the water quality certification application submitted by Tallasse Shoals, LLC within the required one-year period. FERC therefore deemed water quality certification waived by the State. FERC issued an Environmental Assessment for relicensing on

**2. Standards Selection**

The table below indicates standards selected for each LIHI criterion based on the new license. Entries in red differ from the numbered standards that were determined to be applicable in the last LIHI recertification review report<sup>2</sup> due to the new license. Changes in the facility, its operations, and standards selected as a result of the new license are discussed in Section 3.

<b>Zone:</b>		<b>1: Impoundment</b>	<b>2: Bypassed Reach</b>	<b>3. Headrace, Tailrace, Downstream Reach</b>
River Mile at upper and lower extent of Zone:		18.6 - 17.5	17.5 - 17.1	17.5 - 17.1
<b>Criterion</b>		<b>Standard Selected</b>		
<b>A</b>	<b>Ecological Flow Regimes</b>	<b>2</b>	2	1
<b>B</b>	<b>Water Quality</b>	<b>3</b>	<b>3</b>	<b>3</b>
<b>C</b>	<b>Upstream Fish Passage</b>	1	1	1
<b>D</b>	<b>Downstream Fish Passage</b>	1	1	1
<b>E</b>	<b>Shoreline and Watershed Protection</b>	1	1	<b>2</b>
<b>F</b>	<b>Threatened and Endangered Species</b>	2	2	2
<b>G</b>	<b>Cultural and Historic Resources</b>	<b>2</b>	<b>2</b>	<b>2</b>
<b>H</b>	<b>Recreational Resources</b>	2	2	<b>2</b>

<sup>1</sup> <https://lowimpacthydro.org/wp-content/uploads/2025/01/20241120-FERC-license-order-Tallasse-Shoals.pdf>

<sup>2</sup> <https://lowimpacthydro.org/wp-content/uploads/2020/07/final-Tallahassee-Shoals-Recertification-Report-070219.pdf>

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### **3. Discussion and Supporting Documentation**

#### **A. Ecological Flow Regimes**

Standard 2 – Agency Recommendation, rather than Standard 1 – Not Applicable/De Minimis Effect, is now appropriate in Zone of Effect (ZoE) #1, the impoundment. Standard 2 remains appropriate in ZoE #2, the bypassed reach. Standard 1 remains appropriate in ZoE #3, the headrace/tailrace/downstream reach.

Article 29 of the 1983 license (as amended in 1990) required a minimum flow of 70 cfs or inflow, if less, discharged to the bypassed reach and a seasonal flow of 138 cfs during the month of May at the juncture of the bypass reach and tailrace to protect downstream aquatic species. Article 401 of the new FERC license retains the 70-cfs bypassed reach flow but eliminated the requirement to provide 138 cfs of minimum flow during the month of May because flow at the juncture of the bypass reach and tailrace always equals inflow to the project.

However, Article 401 includes notification and reporting requirements for planned and unplanned deviations as recommended by the US Department of Interior. Article 402 requires an operations compliance monitoring plan to be filed with FERC within 180 days of license issuance (May 20, 2025). The plan is currently being developed with the assistance of the Kleinschmidt Group.

#### **B. Water Quality**

Standard 3 – Site-Specific Studies is now appropriate in all ZoEs.

A site-specific water quality study was conducted for relicensing.<sup>3</sup> The study was conducted over one year with 13 sampling events. Dissolved oxygen, temperature, pH, conductivity, turbidity, and total suspended solids (TSS) were measured at five sites – the upper and lower ends of the impoundment, the bypassed reach, the tailrace, and the downstream reach. All parameters at all sites measured within the acceptable range of the state’s numeric water quality standards for the drinking water designated use. A small number of outlying events of elevated turbidity, TSS, and conductivity were correlated with rain events and high flows, and not due to project operations. The Georgia Environmental Protection Division confirmed that that project meets water quality standards in an email dated January 4, 2021 (see Appendix B).

#### **C. Upstream Fish Passage**

Standard 1 - Not Applicable/De Minimis Effect remains appropriate in all ZoEs. Due to downstream barriers lacking fish passage there are no migratory fish in project waters.

Standard Article 15<sup>4</sup> in the 1983 license required compliance with recommendations of fish and wildlife agencies, including provisions for fish passage if needed. Standard Article 15<sup>5</sup> in the new license retains that requirement. In addition, Article 403 of the new license reserves FERC’s authority to prescribe

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<sup>3</sup> Appendix B of the Draft License Application. See <https://elibrary.ferc.gov/eLibrary/filedownload?fileid=020C45D4-66E2-5005-8110-C31FAFC91712>

<sup>4</sup> See <https://www.ferc.gov/sites/default/files/2020-04/FormL-11.pdf>

<sup>5</sup> See <https://www.ferc.gov/sites/default/files/2020-04/FormL-10.pdf>

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fishways if needed in the future.

**D. Downstream Fish Passage and Protection**

Standard 1 - Not Applicable/De Minimis Effect remains appropriate in all ZoEs.

No agencies raised issues during relicensing related to downstream fish passage or protection, nor have agencies recommended downstream passage facilities or other facility modifications. The 70-cfs bypass minimum flow provides a safe route of passage around the project and Article 403 of the new license reserves FERC's authority to prescribe fishways if needed in the future.

**E. Shoreline and Watershed Protection**

Standard 2 – Agency Recommendation, rather than Standard 1 - Not Applicable/De Minimis Effect is now appropriate in ZoE #3, the headrace/tailrace/downstream reach.

Article 404 of the new license requires an avian protection plan to be filed with FERC within one year of license issuance. The plan applies to the project's substation located within ZoE #3 which is not equipped with avian protection devices. The plan must include provisions for periodically checking the project facilities for nests or signs of adverse avian interactions; reporting any adverse interactions; consulting with agencies regarding installation of avian protection devices on project facilities if avian interactions are detected; and an implementation schedule.

In addition, the project is adding 22 acres to the project boundary which will encompass the entire impoundment rather than only the lower portion, bringing the total acreage within the project to 58 acres.

**F. Threatened and Endangered Species Protection**

Standard 2 – Finding of No Negative Effect remains appropriate in all ZoEs.

The FERC Environmental Assessment (EA)<sup>6</sup> lists numerous rare, threatened, and endangered species occurring in Athens-Clarke and Jackson Counties which is an area much larger than the project area.

An online check of the US Fish and Wildlife Service's (USFWS) webtool (IPaC<sup>7</sup>) on January 6, 2025, which was limited to the immediate project area lists the federally endangered gray bat (also state listed), the proposed endangered tri-colored bat, and the monarch butterfly, a candidate for listing. These are the same species that FERC identified in the EA.

Georgia's online biodiversity portal<sup>8</sup> lists as possibly present the state-endangered rusty-patched bumblebee (also federally endangered), and the state-threatened Altamaha shiner. Based on the IPaC report and the FERC EA's Biological Assessment, there is no habitat for the rusty-patched bumblebee within the project boundary. The Altamaha shiner is present in the bypassed reach and

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<sup>6</sup>See Table D-6 in Appendix D in <https://elibrary.ferc.gov/eLibrary/filedownload?fileid=206ED2E6-4DBD-C140-9720-8D21CF100000>

<sup>7</sup> <https://ipac.ecosphere.fws.gov/>

<sup>8</sup> [https://georgiabiodiversity.org/portal/table/all/all/hex24\\_188/](https://georgiabiodiversity.org/portal/table/all/all/hex24_188/)

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tailrace/downstream reach.

FERC determined in the EA that relicensing the project is not likely to adversely affect the gray bat. USFWS provided its concurrence<sup>9</sup> because there are no known caves within the project boundary and only limited vegetation disturbance will be required for the recreational parking and access improvements including in the new license. Regarding the proposed endangered tri-colored bat, Article 405 of the new license requires avoiding tree removal or trimming during the tri-colored bat's non-volant pup season (May 1 – July 15) and during its winter torpor season (December 15 – February 15). USFWS concurred that the project is unlikely to adversely affect that species with these restrictions.

**G. Cultural and Historic Resource Protection**

Standard 2 – Approved Plan, rather than Standard 1 – Not Applicable/De Minimis Effect, is now appropriate in all ZoEs.

A cultural resources review was conducted for relicensing. It determined that four archaeological sites are located near but not within the project boundary. None of those sites were recommended for listing on the National Register of Historic Places. The Georgia State Historic Preservation Officer (SHPO) determined that no historic sites that are listed or eligible for listing on the National Register would be affected by the project but requires to be consulted if changes to the project occur including any construction related to relicensing.

Article 407 of the new license requires that prior to implementing any project modifications not specifically authorized by the license, including but not limited to maintenance activities, land-clearing or land-disturbing activities, or changes to project operation or facilities, the following parties be consulted:

- Georgia SHPO
- Alabama-Coushatta Tribe of Texas
- Kialegee Tribal Town
- Alabama-Quassarte Tribal Town
- Muscogee (Creek) Nation
- Cherokee Nation
- Poarch Band of Creek Indians
- Coushatta Tribe of Louisiana
- Thlopthlocco Tribal Town
- Eastern Band of Cherokee Indians
- United Keetoowah Band of Cherokee Indians in Oklahoma

Consultation would be to determine the effects of the activities and the need for any cultural resource studies or measures. If no studies or measures are needed, Tallassee Shoals must file documentation of its consultation with FERC. If a project modification is determined to affect a historic property, a historic properties management plan (HPMP) must be developed in consultation with the SHPO and tribes and then filed with FERC.

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<sup>9</sup> <https://elibrary.ferc.gov/eLibrary/filedownload?fileid=DCA80DEC-0ECE-C31A-98B6-8DA487D00000>

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Article 408 requires that for any unidentified cultural resources discovered during the course of constructing, maintaining, or operating project works or other facilities at the project, all land-clearing and land-disturbing activities in the vicinity of the resource must be stopped and the SHPO and tribes must be consulted. If a discovered cultural resource is determined to be eligible for listing on the National Register, then an HPMP must also be developed.

**H. Recreational Resources**

Standard 2 – Agency Recommendation, rather than Standard 1 – Not Applicable/De Minimis Effect is now appropriate in ZoE #3, the headrace/tailrace/downstream reach.

Article 406 of the new license requires, within 6 months of license issuance (May 20, 2025), the development of a recreation management plan (RMP) that includes the following recreation enhancements:

- a canoe portage around the west side dam as requested by stakeholders
- three additional parking spaces at the existing recreation parking area located west of the bypassed reach
- directional and safety signage

The RMP must also include a schedule to construct the new facilities during daylight hours and when recreation use is low (e.g., late fall or early spring); and provide for maintenance of the canoe portage and the recreational parking area over the term of the license as recommended by GA DNR. The plan is currently being developed with the assistance of the Kleinschmidt Group. Construction will resume during peak summer months when recreation use is lowest due to low water flows.

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**4. Attestation and Waiver Form**

All applications for LIHI Certification must include the following statement before they can be reviewed by LIHI:

**ATTESTATION**

As an Authorized Representative of Tallassee Shoals LLC

the Undersigned attests that the material presented in the application is true and complete.

The Undersigned acknowledges that the primary goal of the Low Impact Hydropower Institute's certification program is public benefit, and that the LIHI Governing Board and its agents are not responsible for financial or other private consequences of its certification decisions.

The Undersigned further acknowledges that if LIHI Certification of the applying facility is granted, the LIHI Certification Mark License Agreement must be executed prior to the final certification decision and prior to marketing the electricity product as LIHI Certified® (which includes selling RECs in a market that requires LIHI Certification).

The Undersigned further agrees to hold the Low Impact Hydropower Institute, the Governing Board, and its agents harmless for any decision rendered on this or other applications, from any consequences of disclosing or publishing any submitted certification application materials to the public, or on any other action pursuant to the Low Impact Hydropower Institute's certification program.

Company Name: Tallassee Shoals LLC

Authorized Representative:

Name: Walter Puryear

Title: Managing Partner

Authorized Signature: 

Date: January 13, 2025

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**5. Contacts Forms**

**Applicant-related contacts**

<b>Facility Owner:</b>	
Name and Title	Walter Puryear, Managing Partner
Company	Tallassee Shoals LLC
Phone	706 540 7621
Email Address	wpuryear@bellsouth.net
Mailing Address	2399 Tallassee Rd Athens, GA 30607
<b>Facility Operator (if different from Owner):</b>	
Name and Title	same
Company	
Phone	
Email Address	
Mailing Address	
<b>Consulting Firm / Agent for LIHI Program (if different from above):</b>	
Name and Title	same
Company	
Phone	
Email Address	
Mailing Address	
<b>Compliance Contact (responsible for LIHI Program requirements):</b>	
Name and Title	same
Company	
Phone	
Email Address	
Mailing Address	
<b>Party responsible for accounts payable:</b>	
Name and Title	same
Company	
Phone	
Email Address	
Mailing Address	

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**Current relevant state, federal, and tribal resource agency contacts.**

<b>Agency Contact</b>		<b>Area of Responsibility (check applicable boxes)</b>
Agency Name	Federal Energy Regulatory Commission	<input checked="" type="checkbox"/> Flows <input type="checkbox"/> Water Quality <input type="checkbox"/> Fish/Wildlife <input type="checkbox"/> Watershed <input type="checkbox"/> T&E Species <input type="checkbox"/> Cultural/Historic <input checked="" type="checkbox"/> Recreation
Name	William Brown, Director	
Phone	678.245.3070	
Email	<a href="mailto:william.brown2@ferc.gov">william.brown2@ferc.gov</a>	
Mailing Address	3700.Crestwood.Pkwy.Suite.950 Duluth,GA.30096	

<b>Agency Contact</b>		<b>Area of Responsibility (check applicable boxes)</b>
Agency Name	Georgia Department of Natural Resources Environmental Protection Division Watershed Protection Branch	<input type="checkbox"/> Flows <input checked="" type="checkbox"/> Water Quality <input type="checkbox"/> Fish/Wildlife <input checked="" type="checkbox"/> Watershed <input type="checkbox"/> T&E Species <input type="checkbox"/> Cultural/Historic <input type="checkbox"/> Recreation
Name	Anna Truszczynski, Branch Chief	
Phone	404.463.1511	
Email	<a href="mailto:askepd@gaepd.org">askepd@gaepd.org</a>	
Mailing Address	2 Martin Luther King Jr. Drive Atlanta, GA 30334	



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<b>Agency Contact</b>		<b>Area of Responsibility (check applicable boxes)</b>
Agency Name	Georgia Department of Natural Resources Wildlife Resources Division	<input type="checkbox"/> Flows <input type="checkbox"/> Water Quality <input checked="" type="checkbox"/> Fish/Wildlife <input type="checkbox"/> Watershed <input checked="" type="checkbox"/> T&E Species <input type="checkbox"/> Cultural/Historic <input type="checkbox"/> Recreation
Name	Ted Will, Director	
Phone	706.557.3333	
Email	<a href="mailto:Ted.will@dnr.ga.gov">Ted.will@dnr.ga.gov</a>	
Mailing Address	2067 US Hwy 278 SE Social Circle, GA 30025	

<b>Agency Contact</b>		<b>Area of Responsibility (check applicable boxes)</b>
Agency Name	Georgia Department of Community Affairs	<input type="checkbox"/> Flows <input type="checkbox"/> Water Quality <input type="checkbox"/> Fish/Wildlife <input type="checkbox"/> Watershed <input type="checkbox"/> T&E Species <input checked="" type="checkbox"/> Cultural/Historic <input type="checkbox"/> Recreation
Name	Whitney Rooks, Environmental Review Historian	
Phone	404.486.6437	
Email	<a href="mailto:whitney.rooks@dca.ga.gov">whitney.rooks@dca.ga.gov</a>	
Mailing Address	60 Executive Park South NE Atlanta, GA 30329	

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<b>Stakeholder Contact</b>		<b>Area of Responsibility (check applicable boxes)</b>
Organization Name	Cherokee Nation	<input type="checkbox"/> Flows <input type="checkbox"/> Water Quality <input type="checkbox"/> Fish/Wildlife <input type="checkbox"/> Watershed <input type="checkbox"/> T&E Species <input type="checkbox"/> Cultural/Historic <input type="checkbox"/> Recreation
Name and Title	Elizabeth Toombs, Tribal Historic Preservation Officer	
Phone	(918) 453-5000	
Email address	elizabeth-toombs@cherokee.org	
Mailing Address	PO Box 948 Tahlequah, OK 74465	

<b>Stakeholder Contact</b>		<b>Area of Responsibility (check applicable boxes)</b>
Organization Name	Muskogee (Creek) Nation	<input type="checkbox"/> Flows <input type="checkbox"/> Water Quality <input type="checkbox"/> Fish/Wildlife <input type="checkbox"/> Watershed <input type="checkbox"/> T&E Species <input type="checkbox"/> Cultural/Historic <input type="checkbox"/> Recreation
Name and Title	RaeLynn Butler, Tribal Historic Preservation	
Phone	918-732-7678	
Email address	raebutler@mcn-nsn.gov	
Mailing Address	PO Box 580 Okmulgee, OK 74447	

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**Appendix A – FERC License Crosswalk**

Tallassee Shoals Project, LIHI #12  
FERC No. 6951

<b>Old Requirements</b>		<b>New Requirements</b>	
1983 FERC License <a href="https://lowimpacthydro.org/wp-content/uploads/2023/05/LIHI-FERC-Order-Tallassee.pdf">https://lowimpacthydro.org/wp-content/uploads/2023/05/LIHI-FERC-Order-Tallassee.pdf</a>		2024 FERC License <a href="https://lowimpacthydro.org/wp-content/uploads/2025/01/20241120-FERC-license-order-Tallassee-Shoals.pdf">https://lowimpacthydro.org/wp-content/uploads/2025/01/20241120-FERC-license-order-Tallassee-Shoals.pdf</a>	
Articles 24-28	Original construction related articles.	Articles 301-302	Construction related articles for any facility modifications.
Article 29, as amended 08/20/1990	Maintain 70 cfs minimum flow into the bypassed reach year-round and 138 cfs discharged below the tailrace during the month of May.	Article 401	Operate in run-of-river mode with 70 cfs minimum flow, or inflow if less, year-round into bypassed reach.  Run-of-river operation and minimum turbine hydraulic capacity satisfies the 138-cfs seasonal tailrace flow requirement without the need for any additional operational measures.  Addresses reporting for planned and unplanned deviations (subsections a – c).
		Article 402	Requires operations compliance monitoring plan.
		Article 403	Reservation of authority to prescribe fishways.
		Article 404	Requires avian protection plan.
		Article 405	Requires seasonal restriction on tree removal.
Article 30	Develop plans to provide public access in consultation with USFWS and GA DNR.	Article 406	Requires recreation management plan and recreation enhancements.

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<b>Old Requirements</b>		<b>New Requirements</b>	
Article 31	SHPO and US DOI consultation required prior to construction with mitigation.  Consultation required for any newly discovered archaeological or historical sites.	Articles 407-408	SHPO and Tribes consultation prior to any project modifications including but not limited to maintenance activities, land-clearing or land-disturbing activities, or changes to project operation or facilities. Develop Historic Properties Management Plan if resources would be affected.  Consultation required for any newly discovered archaeological or historical sites.
Article 34	Standard use and occupancy article.	Article 409	Standard use and occupancy article.
Articles 32 - 33	Administrative articles	Articles 201-206	Administrative articles
Standard terms and conditions	Standard articles 1-23, Form L-11 October 1975, by reference in license <a href="https://www.ferc.gov/sites/default/files/2020-04/FormL-11.pdf">https://www.ferc.gov/sites/default/files/2020-04/FormL-11.pdf</a>	Standard terms and conditions	Standard articles 1-23, Form L-10 October 1975 See license and <a href="https://www.ferc.gov/sites/default/files/2020-04/FormL-10.pdf">https://www.ferc.gov/sites/default/files/2020-04/FormL-10.pdf</a>
2003 License Transfer	<a href="https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20031007-3003&amp;optimized=false">https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20031007-3003&amp;optimized=false</a>		
2008 License Transfer	<a href="https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20081020-0036&amp;optimized=false">https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20081020-0036&amp;optimized=false</a>		
1983 Water Quality Certificate	Issued by not found	FERC determined Water Quality Certification waived by state not acting on the application within one year.	

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Appendix B – GA DNR Email

**From:** [Booth, Elizabeth](#)  
**To:** [Kelly Kirven](#); [Alex Harvey](#); [Alice Lawrence \(alice\\_lawrence@fws.gov\)](#); [Ben Emanuel \(bemanuel@americanrivers.org\)](#); [Bill John Baker](#); [Charlie Jameson](#); [Canalos, Chris](#); [Nelson, Chris](#); [coastkeeper@altamahariverkeeper.org](#); [dana@garivers.org](#); [David Titshaw](#); [Diane Windham](#); [Don Imm \(donald\\_imm@fws.gov\)](#); [Drew Echols](#); [Elizabeth Toombs \(elizabeth-toombs@cherokee.org\)](#); [Glenn.trey@epa.gov](#); [holliman.daniel@epa.gov](#); [info@uown.org](#); [Larson, Jeff](#); [Welte, Jennifer](#); [jeremiah.hobbs@kialegeetribe.net](#); [jfwolner@achp.gov](#); [j.kastle@gfc.state.ga.us](#); [Joe Bunch](#); [Ambrose, Jon](#); [Kevin Colburn](#); [Marcellus Osceola, Jr. \(pinion.e@sno-nsn.gov\)](#); [Matt Thomas \(matt.thomas@dnr.ga.gov\)](#); [militscher.chris@epa.gov](#); [nancywstangle@gmail.com](#); [Pace Wilber \(Pace.Wilber@noaa.gov\)](#); [Marcinek, Paula](#); [pgraham](#); [pturner@gfc.state.ga.us](#); [Rocks, Whitney](#); [russtown@nc-chokeee.com](#); [Ryan Morrow](#); [sbryan@pci-nsn.gov](#); [section106@mcn-nsn.gov](#); [Stan\\_Austin@nps.gov](#); [Schleiger, Steve](#); [Litts, Thom](#); ["Walter Puryear \(wpuryear@bellsouth.net\)"](#); [Steven Layman](#)  
**Cc:**  
**Subject:** RE: Tallasse Shoals Hydroelectric Project (P-6951) - Study Report  
**Date:** Monday, January 4, 2021 3:51:28 PM  
**Attachments:** [image002.png](#)

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A review of the report indicates the water quality is meeting the Georgia Water Quality Standards.

Thanks  
Liz Booth

Elizabeth A. Booth, Ph.D., P.E.  
Georgia Environmental Protection Division  
Watershed Protection Branch  
Watershed Planning and Monitoring Program  
2 Martin Luther King Jr. Drive, Suite 1152  
Atlanta, Georgia 30334  
404 463-4929  
[elizabeth.booth@dnr.ga.gov](mailto:elizabeth.booth@dnr.ga.gov)

