



Ohio Department of Natural Resources

JOHN R. KASICH, GOVERNOR

JAMES ZEHRINGER, DIRECTOR

Office of Real Estate
Paul R. Baldrige, Chief
2045 Morse Road – Bldg. E-2
Columbus, OH 43229
Phone: (614) 265-6649
Fax: (614) 267-4764

March 12, 2015

Leslie M. Nelson, P.E.
GZA GeoEnvironmental, Inc.
3940 Broadmoor S.E., Suite 105
Grand Rapids, Michigan 49512

Re: 15-132; Environmental Review GZA Barge Dock Project in Tiltonsville, Ohio

Project: The proposed project involves modification and addition to barge dock facilities.

Location: The proposed project is located in Tiltonsville, Jefferson 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: A review of the Natural Heritage Database produced the following comments.

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

Channel darter (*Percina copelandi*), state threatened

We are unaware of any unique ecological sites, geologic features, animal assemblages, scenic rivers, state wildlife areas, state nature preserves, state or national parks, state or national forests, national wildlife refuges, or other protected natural areas within the project area. The review was performed on the project area you specified in your request as well as an additional one mile radius. Records searched date from 1980. This information is provided to inform you of features present within your project area and vicinity.

Please note that Ohio has not been completely surveyed and we rely on receiving information from many sources. Therefore, a lack of records for any particular 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 project is within the range of the Indiana bat (*Myotis sodalis*), a state endangered and federally endangered species. The following species of trees have relatively high value as potential Indiana bat roost trees to include: shagbark hickory (*Carya ovata*), shellbark hickory (*Carya laciniosa*), bitternut hickory (*Carya cordiformis*), black ash (*Fraxinus nigra*), green ash (*Fraxinus pennsylvanica*), white ash (*Fraxinus americana*), shingle oak (*Quercus imbricaria*), northern red oak (*Quercus rubra*), slippery elm (*Ulmus rubra*), American elm (*Ulmus americana*), eastern cottonwood (*Populus deltoides*), silver maple (*Acer saccharinum*), sassafras (*Sassafras albidum*), post oak (*Quercus stellata*), and white oak (*Quercus alba*). Indiana bat roost trees consists of trees that include dead and dying trees with exfoliating bark, crevices, or cavities in upland areas or riparian corridors and living trees with exfoliating bark, cavities, or hollow areas formed from broken branches or tops. However, Indiana bats are also dependent on the forest structure surrounding roost trees. If suitable habitat occurs within the project area, the DOW recommends trees be conserved. If suitable habitat occurs within the project area and trees must be cut, the DOW recommends cutting occur between October 1 and March 31. If suitable trees must be cut during the summer months, the DOW recommends a net survey be conducted between June 1 and August 15, prior any to cutting. Net surveys should incorporate either nine net nights per square 0.5 kilometer of project area, or four net nights per kilometer for linear projects. If no tree removal is proposed, this project is not likely to impact this species.

This project must not have an impact on freshwater native mussels at the project site. This applies to both listed and non-listed species. Per the Ohio Mussel Survey Protocol (2014), all Group 2, 3, and 4 streams (Appendix A) require a mussel survey. This is further explained within the Ohio Mussel Survey Protocol. Therefore, if in-water work is planned in the Ohio River, 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, as a last resort, 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. Please submit any mussel assessment/survey to Nathan Reardon, Compliance Coordinator, at nathan.reardon@dnr.state.oh.us.

The Ohio Mussel Survey Protocol (2014) can be found at:

<http://wildlife.ohiodnr.gov/portals/wildlife/pdfs/licenses%20&%20permits/OH%20Mussel%20Survey%20Protocol%20-%20April%202014.pdf>

The project is within the range of the paddlefish (*Polyodon spathula*), a state threatened fish, and the channel darter (*Percina copelandi*), a state threatened fish. The DOW recommends no in-water work in the Ohio River from March 15 to June 30, and no in-water work in other perennial streams from April 15 to June 30 to reduce impacts to indigenous aquatic species and their habitat. If no in-water work is proposed in the Ohio River, or other perennial streams, this project is not likely to impact these species.

The project is within the range of the eastern hellbender (*Cryptobranchus alleganiensis alleganiensis*), a state endangered species and a federal species of concern. Due to the location, this project is not likely to impact this species.

The project is within the range of the black bear (*Ursus americanus*), a state endangered species. Due to the mobility of this species, 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.

ODNR appreciates the opportunity to provide these comments. Please contact John Kessler at (614) 265-6621 if you have questions about these comments or need additional information.

John Kessler
ODNR Office of Real Estate
2045 Morse Road, Building E-2
Columbus, Ohio 43229-6693
John.Kessler@dnr.state.oh.us

From: [Kessler, John](#)
To: [Leslie Nelson](#)
Cc: [Tebbe, Sarah](#)
Subject: RE: Project In Tiltonsville, OH
Date: Monday, January 26, 2015 2:42:05 PM

Hi Leslie. We received your request and will begin our review. Comments should be returned in approximately 30 days. Please let us know if you have any questions or need a different timeline.

Also, we have recently updated our website and process for submitting environmental review requests. Please go to <http://realestate.ohiodnr.gov/> to learn more about this. Specific project review requests can now be emailed to environmentalreviewrequest@dnr.state.oh.us (Attachments limited to 15 MB).

john

John Kessler, P.E.
Environmental Services Administrator
Office of Real Estate
Ohio Department of Natural Resources
2045 Morse Rd., Columbus, OH 43229-6605
phone: 614-265-6621
email: john.kessler@dnr.state.oh.us

From: Leslie Nelson [mailto:leslie.nelson@gza.com]
Sent: Friday, January 23, 2015 4:05 PM
To: Kessler, John
Cc: Leslie Nelson
Subject: Project In Tiltonsville, OH

John,

As you requested in your December 29, 2014 email (below), I am providing the preliminary design information for our barge dock project in Tiltonsville, Ohio.

Please see the attached drawings outlining the area that we will be working on the project in Tiltonsville. I've included the current design plan, which may change slightly. The main change that is possible is related to the placement of the dock in the river. The dock may have to be moved up to 8 feet further into the river in order to accommodate the operational design on shore and some other design limitations due to infrastructure and rights-of-way. I've also included a cross section plan of the project and the topographic map showing the site location.

In addition, I've attached a picture of the shoreline at that property so you can see what kind of vegetation is currently present there.

Please let me know if you need any additional information to do the environmental review.

Thanks,
Leslie

Leslie M. Nelson, P.E.

Senior Project Manager

GZA GeoEnvironmental, Inc.

616-258-7222 (office)

616-481-7588 (cell)

From: Kessler, John [<mailto:John.Kessler@dnr.state.oh.us>]

Sent: Monday, December 29, 2014 3:27 PM

To: Leslie Nelson

Subject: RE: Project In Tiltonsville, OH

We basically need to see the footprint of the area you expect to be impacted by the project and some detail about the proposed activities (e.g., filling streams and wetlands, tree cutting, buildings, docks, etc.)

Preliminary drawings and a topo map would probably suffice. Does that help? You also could send what you have currently and if we need to request additional information we can get in touch with you.

John Kessler, P.E.

Environmental Services Administrator

Office of Real Estate

Ohio Department of Natural Resources

2045 Morse Rd., Columbus, OH 43229-6605

phone: 614-265-6621

email: john.kessler@dnr.state.oh.us

From: Leslie Nelson [<mailto:leslie.nelson@gza.com>]

Sent: Monday, December 29, 2014 3:14 PM

To: Kessler, John

Subject: RE: Project In Tiltonsville, OH

Thank you John, I will get the information over to you right away. What information does the map need to include? Is it just for location purposes or does it need to include proposed project details? We are at the preliminary design stage right now and have some very preliminary drawings done (that are likely to change slightly).

Leslie M. Nelson, P.E.

Senior Project Manager

GZA GeoEnvironmental, Inc.

616-258-7222 (office)

616-481-7588 (cell)

From: Kessler, John [<mailto:John.Kessler@dnr.state.oh.us>]

Sent: Monday, December 29, 2014 3:01 PM

To: Leslie Nelson

Subject: RE: Project In Tiltonsville, OH

Hello Leslie. I would recommend requesting an environmental review by ODNR. We would need a project description and map, and you can forward this information to me. It takes approximately 45 days for ODNR to complete the review and return comments.

Please let me know if you have any questions.

John

John Kessler, P.E.
Environmental Services Administrator
Office of Real Estate
Ohio Department of Natural Resources
2045 Morse Rd., Columbus, OH 43229-6605
phone: 614-265-6621
email: john.kessler@dnr.state.oh.us

From: Leslie Nelson [<mailto:leslie.nelson@gza.com>]
Sent: Monday, December 29, 2014 2:21 PM
To: Kessler, John
Subject: Project In Tiltonsville, OH

Mr. Kessler,

I am working on a project along the Ohio River and got the attached letter from US FWS this afternoon. Can you help me proceed with the next step for a Section 7 consultation? The project will likely involve dredging and filling in the river, along with some clearing on land along the river.

Please let me know what I need to do to move forward.

Thanks,
Leslie

Leslie M. Nelson, P.E.
Senior Project Manager
GZA GeoEnvironmental, Inc.
3940 Broadmoor S.E., Suite 105 | Grand Rapids, Michigan 49512
o: 616.258.7222 | c: 616.481.7588
leslie.nelson@gza.com | www.gza.com



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