

THIS IS NOT A PERMIT

State of Indiana
DEPARTMENT OF NATURAL RESOURCES
Division of Fish and Wildlife
Early Coordination/Environmental Assessment

DNR #: ER-22469

Request Received: April 22, 2020

Requestor: Stantec
Courtney Dehoney
3001 Washington Boulevard, Suite 500
Arlington, VA 22201

Project: Proposed Bellflower Solar Project; Lightsource BP; teleconference May 1

County/Site info: Henry - Rush

The Indiana Department of Natural Resources has reviewed the above referenced project per your request. Our agency offers the following comments for your information and in accordance with the National Environmental Policy Act of 1969.

If our agency has regulatory jurisdiction over the project, the recommendations contained in this letter may become requirements of any permit issued. If we do not have permitting authority, all recommendations are voluntary.

Regulatory Assessment: This proposal may require the formal approval(s) of our agency pursuant to the Flood Control Act (IC 14-28-1) for any proposal to construct, excavate, or fill in or on the floodway of a stream or other flowing waterbody which has a drainage area greater than one square mile.

Natural Heritage Database: The Natural Heritage Program's data have been checked. As indicated in the April 29, 2020, letter from Taylor Davis, Division of Nature Preserves, the federal and state endangered Indiana Bat (*Myotis sodalis*) has been documented within ½ mile of the project area.

Fish & Wildlife Comments: Avoid and minimize impacts to fish, wildlife, and botanical resources to the greatest extent possible, and compensate for impacts. The following are recommendations that address potential impacts identified in the proposed project area:

1) Indiana Bat:

To minimize impacts to the Indiana bat (and Northern Long-eared bat, which may also be present), do not cut any trees suitable for roosting (greater than 5 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30.

2) Riparian Habitat:

We recommend a mitigation plan be developed (and submitted with the permit application, if required) for any unavoidable habitat impacts that will occur. The DNR's Floodway Habitat Mitigation guidelines (and plant lists) can be found online at: <http://www.in.gov/legislative/iac/20190130-IR-312190041NRA.xml.pdf>.

Impacts to non-wetland forest of one (1) acre or more should be mitigated at a minimum 2:1 ratio. If less than one acre of non-wetland forest is removed in a rural setting, replacement should be at a 1:1 ratio based on area. Impacts to non-wetland forest under one (1) acre in an urban setting should be mitigated by planting five trees, at least 2 inches in diameter-at-breast height (dbh), for each tree which is removed that is 10" dbh or greater (5:1 mitigation based on the number of large trees) or by using the 1:1 replacement ratio based on area depending on the type of habitat impacted (individual canopy tree removal in an urban streetscape or park-like environment versus removal of habitat supporting a tree canopy, woody understory, and herbaceous layer). Impacts under 0.10 acre in and urban area may still involve the replacement of large diameter

State of Indiana
DEPARTMENT OF NATURAL RESOURCES
Division of Fish and Wildlife
Early Coordination/Environmental Assessment

trees but typically do not require any additional mitigation or additional plantings beyond seeding and stabilizing disturbed areas. There are exceptions for high quality habitat sites however.

A native riparian forest mitigation plan should use at least 5 canopy trees and 5 understory trees or shrubs selected from the Woody Riparian Vegetation list or an approved equal. A native riparian forest mitigation plan for impacts of less than one acre in an urban area may involve fewer numbers of species, depending on the level of impact. Additionally, a native herbaceous seed mixture should be planted consisting of at least 10 species of grasses, sedges, and wildflowers selected from the Herbaceous Riparian Vegetation list or an approved equal.

3) Wetland Habitat:

Due to the presence or potential presence of wetland habitat on site, we recommend contacting and coordinating with the Indiana Department of Environmental Management (IDEM) 401 program and also the US Army Corps of Engineers (USACE) 404 program. Impacts to wetland habitat should be mitigated at the appropriate ratio (see guidelines above).

The additional measures listed below should be implemented to avoid, minimize, or compensate for impacts to fish, wildlife, and botanical resources:

1. Revegetate all bare and disturbed areas with a mixture of grasses (excluding all varieties of tall fescue), legumes, and native shrub and hardwood tree species as soon as possible upon completion.
2. Do not excavate in the waterway and minimize disturbance to bank vegetation and contain disturbance to within the project limits.
3. Do not cut any trees suitable for Indiana bat or Northern Long-eared bat roosting (greater than 5 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30.
4. Do not deposit or allow demolition/construction materials or debris to fall or otherwise enter the waterway.
5. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.
6. Do not excavate or place fill in any riparian wetland.

Contact Staff:

Christie L. Stanifer, Environ. Coordinator, Fish & Wildlife
Our agency appreciates this opportunity to be of service. Please contact the above staff member at (317) 232-4080 if we can be of further assistance.

Christie L. Stanifer

Christie L. Stanifer
Environ. Coordinator
Division of Fish and Wildlife

Date: May 22, 2020