

Resolution No. 10

Ohio River Natural Resource Damage Settlement

**Re: Transfer of funds from the United States Department of Interior's Natural Resource Damage Assessment and Restoration Fund to the U.S. Fish and Wildlife Service, the West Virginia Division of Natural Resources, and Missouri State University for restoration of mussels and snails to the Belleville Pool of the Ohio River in calendar year 2016.**

**Whereas the Ohio River Trustee Council was established pursuant to the February 2, 2007 Memorandum of Understanding entered into by the U.S. Department of the Interior, the West Virginia Division of Natural Resources, and the Ohio Environmental Protection Agency;**

**Whereas, an Ohio River Restoration Account (#0237) has been established in the U.S. Department of the Interior's Natural Resource Damage Assessment and Restoration Fund (NRDAR Fund);**

**Whereas, the Ohio River Trustee Council, by unanimous consent, agrees that Ninety Thousand, Five Hundred Eighty-Five Dollars (90,585.00) should be transferred from the Ohio River Restoration Account in the NRDAR Fund to the West Virginia Division of Natural Resources, U.S. Fish and Wildlife Service (White Sulphur Springs National Fish Hatchery, Ohio River Islands National Wildlife Refuge, Genoa National Fish Hatchery), and Missouri State University for the purpose of providing funds to implement restoration activities in calendar year 2016. The funds so transferred shall be utilized as described in the attached "Proposed Work Plan - 2016". In summary the funds will be used for:**

- 1. captive propagation of three species of endangered mussels (pink mucket, fanshell, and sheepsnose) by four facilities;**
- 2. captive propagation of up to four species of common mussel (butterfly, elephantear, round hickorynut, and black sandshell) by five cooperator facilities. Tasks include collection and holding of broodstock mussels and host fish; transportation of the females to the propagation facilities and back; transformation of juvenile mussels on fish (in labs and in cages) and *in vitro*; captive care and grow out of juveniles, and tagging and stocking of juvenile mussels into the restoration area;**
- 3. 5-year interval monitoring at the Neal Island active restoration site and DeGussa passive site; year 5 monitoring at the Neal Island active restoration site and re-visit DeGussa passive site;**
- 4. coordination, evaluation of results, reporting and planning for the final year in 2017; and**
- 5. support the updating and re-publication of the AFS Special Publication 30, "Investigation and Monetary Values of Fish and Freshwater Mussel Kills (2003)" This publication is the reference document that led to the successful settlement of this and many other NRDA cases. The data in the publication are over 15 years old, and need to be updated for future damage assessments. The work undertaken by the Ohio River Aquatic Restoration Team will add valuable data to estimating more realistic replacement costs of mussels.**

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Funds will be distributed as follows:

WV Division of Natural Resources – WVDNR	\$18,764
White Sulphur Springs National Fish Hatchery – WSSNFH	\$38,556
Ohio River Islands National Wildlife Refuge – ORINWR	\$7,000
Genoa National Fish Hatchery – Genoa NFH	\$10,000
Missouri State University	\$16,265
<b>TOTAL for 2016</b>	<b>\$90,585</b>

NOW THEREFORE BE IT RESOLVED that the Trustee Council agrees, by unanimous consent, that Ninety Thousand, Five Hundred Eighty-Five Dollars (90,585.00) be transferred from the United States Department of the Interior's NRDAR Fund to the U. S. Fish and Wildlife Service, the West Virginia Division of Natural Resources, and Missouri State University for the purposes described above.

Dated this 27 day of June 2016

U.S. Department of the Interior, U.S. Fish and Wildlife Service

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By: Dan Everson, Field Supervisor, Columbus Ohio Field Office

Ohio Environmental Protection Agency


  
By: Jeffrey DeShon, Manager, Division of Surface Water, Ecological Assessment Section

West Virginia Division of Natural Resources

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By: Paul Johansen, Acting Chief, Wildlife Resources Section

West Virginia Department of Environmental Protection

  
By: Jeremy Bandy, Office of Environmental Enforcement

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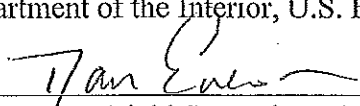
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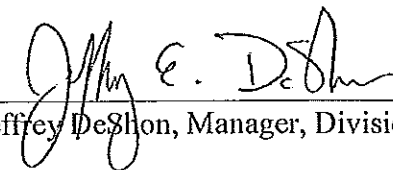
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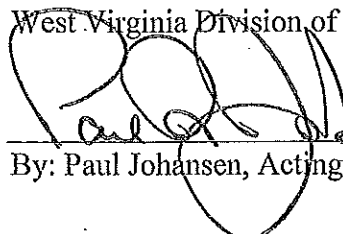
U.S. Department of the Interior, U.S. Fish and Wildlife Service

  
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