

**AMERICAN TRANSMISSION SYSTEMS,
INCORPORATED
A FIRSTENERGY COMPANY**

CONSTRUCTION NOTICE

**SAMMIS - STAR 345 kV TRANSMISSION LINE AND
SAMMIS - WELLSVILLE 345 kV TRANSMISSION LINE
STRUCTURE REPLACEMENT PROJECT**

OPSB CASE NO.: 23-0872-EL-BNR

October 10, 2023

**American Transmission Systems, Incorporated
76 South Main Street
Akron, Ohio 44308**

**SAMMIS-STAR 345 kV TRANSMISSION LINE AND
SAMMIS-WELLSVILLE 345 kV TRANSMISSION LINE
STRUCTURE REPLACEMENT PROJECT**

The following information is being provided in accordance with the procedures in the Ohio Administrative Code (OAC) Chapter 4906-6 for the application and review of Accelerated Certificate Applications. Based upon the requirements found in Appendix A to OAC Rule 4906-1-01, this Project qualifies for submittal to the Ohio Power Siting Board (“Board”) as a Construction Notice application.

4906-6-05: ACCELERATED APPLICATION REQUIREMENTS

4906-6-05 (B)(1): Name and Reference Number

Name of Project:	Sammis–Star 345 kV Transmission Line and Sammis–Wellsville 345 kV Transmission Line Structure Replacement Project (“Project”)
Reference Number:	1015 (Sammis–Star 345 kV Transmission Line) 1016-4 (Sammis–Wellsville 345 kV Transmission Line)

4906-6-05 (B)(1): Brief Description of the Project

In this Project, American Transmission Systems, Incorporated (“ATSI”), a FirstEnergy company, proposes to replace one (1) existing structure (#41053) on the Sammis–Star 345 kV Transmission Line and one existing structure (#40423) on the Sammis–Wellsville 345 kV Transmission Line. The two (2) existing structures are adjacent to each other located in an existing transmission line corridor. The existing steel lattice structures will be replaced with steel 345 kV H frame structures on concrete foundations. The new structures are needed to mitigate a conductor-to-conductor clearance issue with the Dobbins–Toronto 138 kV and Sammis–Toronto 138 kV double-circuit transmission line crossing underneath.

The Project is located in the Saline Township, Jefferson County, Ohio. The general location of the Project is shown in Exhibit 1, a partial copy of the United States Geologic

Survey, Jefferson County, OH, Quad Map. Exhibit 2 provides a partial copy of ESRI aerial imagery showing the Project area. General Project layout is shown in Exhibit 3.

4906-6-05 (B)(1): Construction Notice Requirement

The Project meets the requirements for a Construction Notice because the Project is within the types of projects defined by Item (2)(a) of the Application Requirement Matrix for Electric Power Transmission Lines, Appendix A of OAC Rule 4906-1-01. This item states:

(2) Adding new circuits on existing structures designed for multiple circuit use, replacing conductors on existing structures with larger or bundled conductors, adding structures to an existing line or replacing structures with a different type of structure, for a distance of:

(a) two miles or less

The proposed Project is within the requirements of Item (2)(a) as it involves replacing structures with a different type of structure for a distance of less than two miles.

4906-6-05 (B)(2): Need for the Project

As a part of ATSI's Right-Of-Way ("ROW") Assurance Program, a program that assesses existing transmission lines and their associated ROWs for clearance issues that violate the National Electric Reliability Corporation ("NERC") design and operating field condition requirements; and the National Electrical Safety Code ("NESC") minimum transmission line conductor-to-conductor clearance requirements, a clearances issue was identified at an intersection of existing transmission line conductors. The conductor clearance issue is in a multi transmission line corridor at a point where the existing Sammis-Star 345 kV and Sammis-Wellsville 345 kV transmission lines cross above the existing Dobbins-Toronto 138 kV and Sammis-Toronto 138 kV transmission lines. The existing Sammis-Star 345 kV and Sammis-Wellsville 345 kV transmission lines are separate single circuit transmission lines on steel lattice towers. The existing Dobbins-

Toronto and Sammis-Toronto 138 kV transmission lines are co-located on double circuit steel monopoles.

Upon discovery of the clearance concern, immediate action was taken to reduce the allowable ratings (“de-rate”) of the 345 kV transmission lines and develop a temporary solution to physically lower the 138 kV transmission lines thus allowing the 345 kV transmission line ratings to return to normal. The temporary physical lowering of the 138 kV transmission lines involved the field modification of a steel monopole which involved the installation of braced-post insulators to support the bottom phases of the 138 kV transmission lines and then lower the upper phases by one arm position each.

The permanent solution, based on the circuit arrangement and loading of the 345 kV transmission lines in question, is to install two new steel pole H-frame structures, one each for the Sammis-Star and Sammis-Wellsville 345 kV transmission lines, replacing the existing steel lattice structures, that will raise the 345 kV transmission line conductors above the existing 138 kV double circuit transmission line conductors. This will provide and establish adequate clearance between the sets of 345 kV and 138 kV transmission line conductors.

4906-6-05 (B)(3): Location of the Project Relative to Existing or Proposed Lines

The location of the Project relative to existing or proposed lines is shown in the ATSI Transmission Network Map, included as part of the confidential portion of the FirstEnergy Corp. 2023 Long-Term Forecast Report. This map was submitted to the Public Utilities Commission of Ohio (“PUCO”) in Case No. 23-0504-EL-FOR under Rule 4901:5-5:04 (C)(2)(b) of the Ohio Administrative Code. This map is incorporated by reference only. The general location of the Project area is shown in Exhibits 1 and 2. The general layout is shown in Exhibit 3.

4906-6-05 (B)(4): Alternatives Considered

Due to the nature of the identified clearance issue, there were no alternatives considered for this project.

4906-6-05 (B)(5): Public Information Program

ATSI’s manager of External Affairs will advise local officials of the features and the status of the proposed Project, as necessary. ATSI has also established a Project website, through which a copy of this Construction Notice application can be accessed: https://www.firstenergycorp.com/about/transmission_projects/ohio.html. During all phases of this Project, the public may ask questions, submit comments or contact ATSI through the transmission projects hotline at 1-888-311-4737 or via email at: transmissionprojects@firstenergycorp.com.

4906-6-05 (B)(6): Construction Schedule

Construction on this Project is expected to begin on November 1, 2023 and be completed by February, 2024.

4906-6-05 (B)(7): Area Map

Exhibit 1 and 2 depict the general location of the Project. Exhibit 1 provides a partial copy of the United States Geologic Survey, Jefferson County, OH, Quad Map. Exhibit 2 is a copy of ESRI aerial imagery of the Project area.

4906-6-05 (B)(8): Property Owner List

The Project is located wholly within ATSI’s existing right-of-way. No new easements will be required for the completion of this Project. Table 1 contains a list of properties impacted by the Project.

Table 1: Property Owner List

Parcel Number	Easement Status
2703034000	Existing

4906-6-05 (B)(9): TECHNICAL FEATURES OF THE PROJECT

4906-6-05 (B)(9)(a): Operating Characteristics

The transmission line construction will have the following characteristics:

Voltage:	345 kV
Conductors:	954 kcmil 48/7 ACSR
Static Wire:	Double 159 kcmil 12/7 ACSR (Sammis-Star) 7#7 Alumoweld and SFSJ-J-12040 OPGW (Sammis-Wellsville)
Insulators:	Porcelain and Glass
ROW Width:	150'
Structure Types:	Exhibit 4: 345 kV Steel H-Frame Suspension Structure.

4906-6-05 (B)(9)(b): Electric and Magnetic Fields

There are no occupied residences or institutions within 100 feet from the proposed transmission line centerline and therefore no Electric and Magnetic Field (“EMF”) calculations are required by this subsection.

4906-6-05 (B)(9)(c): Estimated Cost

The estimated capital cost for the proposed project is approximately \$2,175,000.

4906-6-05 (B)(10): SOCIAL AND ECOLOGICAL IMPACTS

4906-6-05 (B)(10)(a): Land Uses

The Project is located in Saline Township, Jefferson County, Ohio. The main land use around the Project is forest and open land. The Project is located within existing right-of-way, so no changes or impacts to the current land use are anticipated.

4906-6-05 (B)(10)(b): Agricultural Land

Agricultural land does not exist within the Project’s disturbance area.

4906-6-05 (B)(10)(c): Archaeological or Cultural Resources

As part of the investigation for this Construction Notice, ATSI performed a desktop review of the Ohio Historic Preservation Office (“OHPO”) online database on August 1, 2023, to identify the existence of any significant archeological or cultural resource sites within 0.5 mile of the Project Area. A map of the results of the search is shown in Exhibit 5.

The OHPO database includes all Ohio listings on the National Register of Historic Places (“NRHP”), including districts, sites, building, structures, and objects that are significant in American history, architecture, archeology, engineering, and culture. The results of the search indicate that no listed NRHP sites and no NRHP Districts were identified within the Project Area.

The OHPO database also includes listing of the Ohio Archaeological Inventory (“OAI”), the Ohio Historic Inventory (“OHI”), previous cultural resource surveys, and the Ohio Genealogical Society (“OGS”) cemetery inventory. Two (2) previous cultural resource surveys were conducted within 0.5 miles of the Project Area and are identified in Table 2. There was one (1) structural resource identified within the affected project are, listed in Table 3. There are zero (0) OAI, and zero (0) OGS cemeteries located within in the APE.

Table 2. List of Previous Cultural & Historic Resource Survey

Year	Name	County
2014	Cultural Resource Survey of the Toronto and Sammis Area 138kV Transmission Line Rebuild and Reconnection Project Knox & Saline Townships, Jefferson County, Ohio	Jefferson
2014	Addendum Phase I Archaeological Resource Survey of the Toronto and Sammis Area 138 kV Transmission Line Rebuild and Reconnection Project in Knox and Saline Townships, Jefferson County, Ohio	Jefferson

Table 3. OHI Structural Resources

OHI Number	Present Name	Historic Use	County	Municipality
JEF0098503	Culp House	Single Dwelling	Jefferson	Saline Township

4906-6-05 (B)(10)(e): Endangered, Threatened, Rare and Designated Species Investigation

As part of the investigation, ATSI retained TRC to conduct the necessary environmental surveys. On July 24, 2023 TRC submitted a request to the Ohio Department of Natural Resources (ODNR) Office of Real Estate to conduct an Environmental Review. As part of the Environmental Review, the ODNR Office of Real Estate conducted a search of the ODNR Division of Wildlife’s Natural Heritage Database to research the presence of any endangered, threatened, or rare species within one (1) mile of the Project area. The ODNR’s Office of Real Estate’s response on August 22, 2023, indicated that there are records of fourteen (14) state and/or federally listed animals located within a one-mile radius of the Project area. A copy of ODNR’s Office of Real Estate’s response is included as Exhibit 6. A list of all endangered, threatened, and rare species, as identified by ODNR, within the range of the Project is provided in Table 4.

As part of the investigation, TRC also submitted a request to the US Fish and Wildlife Service (USFWS) for an Ecological Review to research the presence of any endangered, threatened, rare, or designated species within one (1) mile of the Project Area. A copy of USFWS’s Ecological Review response, dated August 4, 2023, is included as Exhibit 7. The response indicated that due to the project type, size, and location, the USFWS does not anticipate adverse effects to federally endangered, threatened, or proposed species or proposed or designated critical habitat.

Table 4. List of Endangered, Threatened, and Rare Species.

Common Name	Scientific Name	Federal Listed Status	State Listed Status	Affected Habitat
Indiana Bat	<i>Myotis sodalis</i>	Endangered	Endangered	Trees & Forest
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	Endangered	Endangered	Trees & Forest
Little Brown Bat	<i>Myotis lucifugus</i>	N/A	Endangered	Trees & Forest
Tricolored Bat	<i>Perimyotis subflavus</i>	N/A	Endangered	Trees & Forest
Goldeye	<i>Hiodon alosoides</i>	N/A	Endangered	Perennial Stream
Ohio Lamprey	<i>Ichthyomyzon bdellium</i>	N/A	Endangered	Perennial Stream
American Eel	<i>Anguilla rostrata</i>	N/A	Threatened	Perennial Stream
Chanel Darter	<i>Percina copelandi</i>	N/A	Threatened	Perennial Stream
Paddlefish	<i>Polyodon spathula</i>	N/A	Threatened	Perennial Stream
River Darter	<i>Percina shumardi</i>	N/A	Threatened	Perennial Stream
Eastern Hellbender	<i>Cryptobranchus alleganiensis</i>	Species of Concern	Endangered	Perennial Stream
Northern Harrier	<i>Circus hudsonius</i>	N/A	Endangered	Marshes, Grasslands
Longnose Dace	<i>Rhinichthys cataracte</i>	N/A	Species of concern	Perennial Stream

The response from ODNR, Division of Wildlife (DOW) indicated the Project is within the range of the federally and state endangered Indiana bat (*Myotis sodalis*), the federally threatened and state endangered northern long-eared bat (*Myotis septentrionalis*), the state endangered little brown bat (*Myotis lucifugus*), and the state endangered tricolored

bat (*Perimyotis subflavus*). These bat species predominantly roost in trees behind loose, exfoliating bark, in crevices, and cavities, or in the leaves. These species are dependent on the forest structure surrounding the roost trees. The DOW recommended a desktop bat hibernaculum assessment be completed for the Project. TRC did not complete the desktop hibernaculum assessment since the Project requires no tree cutting or subsurface impacts to a hibernaculum, therefore this Project is not likely to impact these species.

The response from ODNR, DOW indicated that the Project is within the range of seven (7) endangered fish species. The Goldeye (*Hiodon alosoides*), Ohio lamprey (*Ichthyomyzon bdellium*), American eel (*Anguilla rostrata*), Channel darter (*Percina copelandi*), Paddlefish (*Polyodon spathula*), Longnose dace (*Rhinichthys cataractae*), and the River darter (*Percina shumardi*). There are no streams within the Project area and therefore there will be no impact to any aquatic species.

The project is within the range of the eastern hellbender (*Cryptobranchus alleganiensis alleganiensis*), a state endangered species and a federal species of concern. This long-lived, entirely aquatic salamander inhabits perennial streams with large flat rocks. Due to the location, and that there are no streams within the Project area, this Project will not impact this species.

The Project is within the range of the northern harrier (*Circus hudsonius*), a state endangered bird. This is a common migrant and winter species. Nesters are much rarer, although they occasionally breed in large marshes and grasslands. Harriers often nest in loose colonies. The female builds a nest out of sticks on the ground, often on top of a mound. Harriers hunt over grasslands. These types of habitats do not exist inside of the project area. Therefore, no impact to the species is anticipated.

4906-6-05 (B)(10)(f): Areas of Ecological Concern

The ODNR Office of Real Estate researched the presence of any unique ecological sites, geological features, animal assemblages, scenic rivers, state wildlife areas, parks or forest, national wildlife refuges, or other protected natural areas within one (1) mile of the Project Area. ODNR's Office of Real Estate's response, on August 22, 2023, indicated that they have no records within one (1) mile of the identified Project Area.

On Wednesday, July 19, 2023, TRC biologists conducted a wetland and waterways delineation for the Project in Saline Township, Jefferson County, Ohio. The Project Study Area is approximately 6.64-acres in size. This Project involves the replacement of structures 41053 and 40423. Land use within the Project Study Area was observed to be existing, maintained utility right-of-way (ROW) located within un-developed, open space and residential land use. No ecological resources were observed within the Project Study Area. During field investigations, TRC did not observe any wetlands, streams, or other areas of ecological concern within the Project Study Area; no corresponding impacts are anticipated.

A review of the National Conservation Easement Database (www.conservationeasement.us) revealed no conservation easements in the Project area.

4906-6-05(B)(10)(g): Other Information

Construction and operation of the proposed Project will be in accordance with the requirements specified in the latest revision of the NESC as adopted by the PUCO and will meet all applicable safety standards established by the Occupational Safety and Health Administration.

No other or unusual conditions are expected that will result in significant environmental, social, health or safety impacts.

4906-6-07: Documentation of Construction Notice Transmittal and Availability for Public Review

This Construction Notice is being sent concurrently with docketing to the following officials in the township of Saline, Jefferson County, Ohio. A copy will also be provided to the library for public review/reference.

Jefferson County

Mr. David Maple Jr.
Jefferson County Commissioner
301 Market St.
Steubenville, OH 43952

Mr. Tony Morelli
Jefferson County Commissioner
301 Market St.
Steubenville, OH 43952

Mr. Eric Timmons
Jefferson County Commissioner
301 Market St.
Steubenville, OH 43952

Mr. James Branagan
Jefferson County Engineer
301 Market St.
Steubenville, OH 43952

Mr. Raymond Agresta
Jefferson County Treasurer
301 Market St.
Steubenville, OH 43952

Ms. Irene Moore
Jefferson County SWCD Chair
500 Market St. Mezzanine, Suite 4
Steubenville, OH 43952

Saline Township

Mr. Ryan Holland
Township Trustee
164 County Road 50A
PO Box 177
Hammondsville, Oh 43930

Mr. Donald Wilson
Township Trustee
Main Street
PO Box 177
Hammondsville, Oh 43930

Mr. Danny Householder
Township Trustee
164 County Road 50A
PO Box 177
Hammondsville, Oh 43930

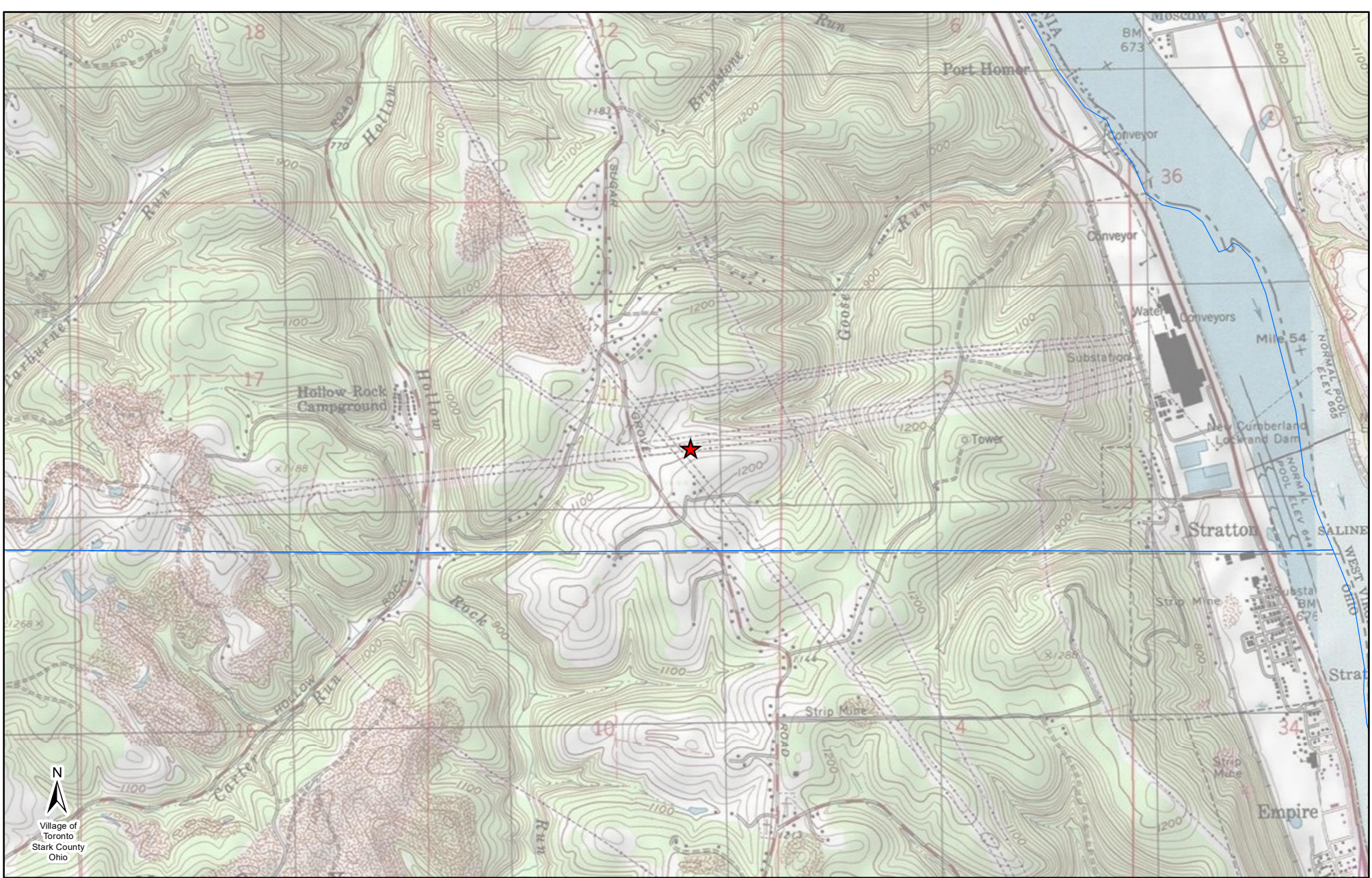
Ms. Debra Parsons
Township Fiscal Officer
Main Street
PO Box 177
Hammondsville, Oh 43930
Toronto, OH 43964

Library

Mr. Mike Gray
Library Director
Jefferson County Public Library,
Toronto Branch
607 Daniels St.
Toronto, OH 43964

Per OAC Rule 4906-6-07(B), an exemplar copy of notice letters sent to local government officials and to the library have been included with this application as proof of compliance with requirements of OAC Rules 4906-6-07(A)(1) and 4906-6-07(A)(2).

Information is posted at www.firstenergycorp.com/about/transmission_project/ohio.html on how to request an electronic or paper copy of this Construction Notice application. The link to this website is being provided in accordance with OAC Rule 4906-6-07(B), which requires ATSI to provide the Board with proof of compliance for OAC Rule 4906-6-07(A)(3).



Village of Toronto
Stark County
Ohio

LEGEND:

★ Project Area

0 1,000 2,000 4,000
Feet

Reference:
USGS Topographical Overlay

Coordinate System:
NAD 1983 StatePlane Ohio North FIPS 3401 Feet
Projection: Lambert Conformal Conic; Units: Foot US

Columbiana County

Jefferson County

EXHIBIT 1

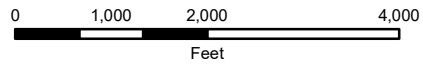
ATSI
American Transmission Systems, Inc.
a subsidiary of FirstEnergy Corp.

**Sammis Star 345 kV and Sammis Wellsville 345 kV
Transmission Line Structure Replacement Project**



LEGEND:

★ Project Area



Reference:
USGS Topographical Overlay, ODOT

Coordinate System:
NAD 1983 StatePlane Ohio North FIPS 3401 Feet
Projection: Lambert Conformal Conic; Units: Foot US

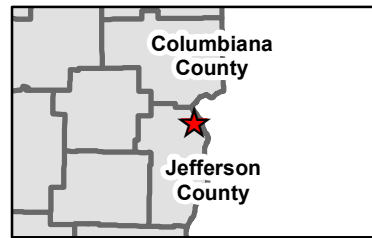


EXHIBIT 2



**Sammis Star 345 kV and Sammis Wellsville 345 kV
Transmission Line Structure Replacement Project**



TOWNSHIP ROAD 304

SUGAR GROVE ROAD

GOOSE RUN

#40423

SAMMIS-WELLSVILLE 345 KV

#41053

SAMMIS-STAR 345 KV

SAMMIS-SOUTH CANTON 345 KV

BOARDMAN-TORONTO 138 KV

HAGAN-SAMMIS 138 KV

SAMMIS-TORONTO 138 KV

DOBBINS-TORONTO 138 KV

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LEGEND

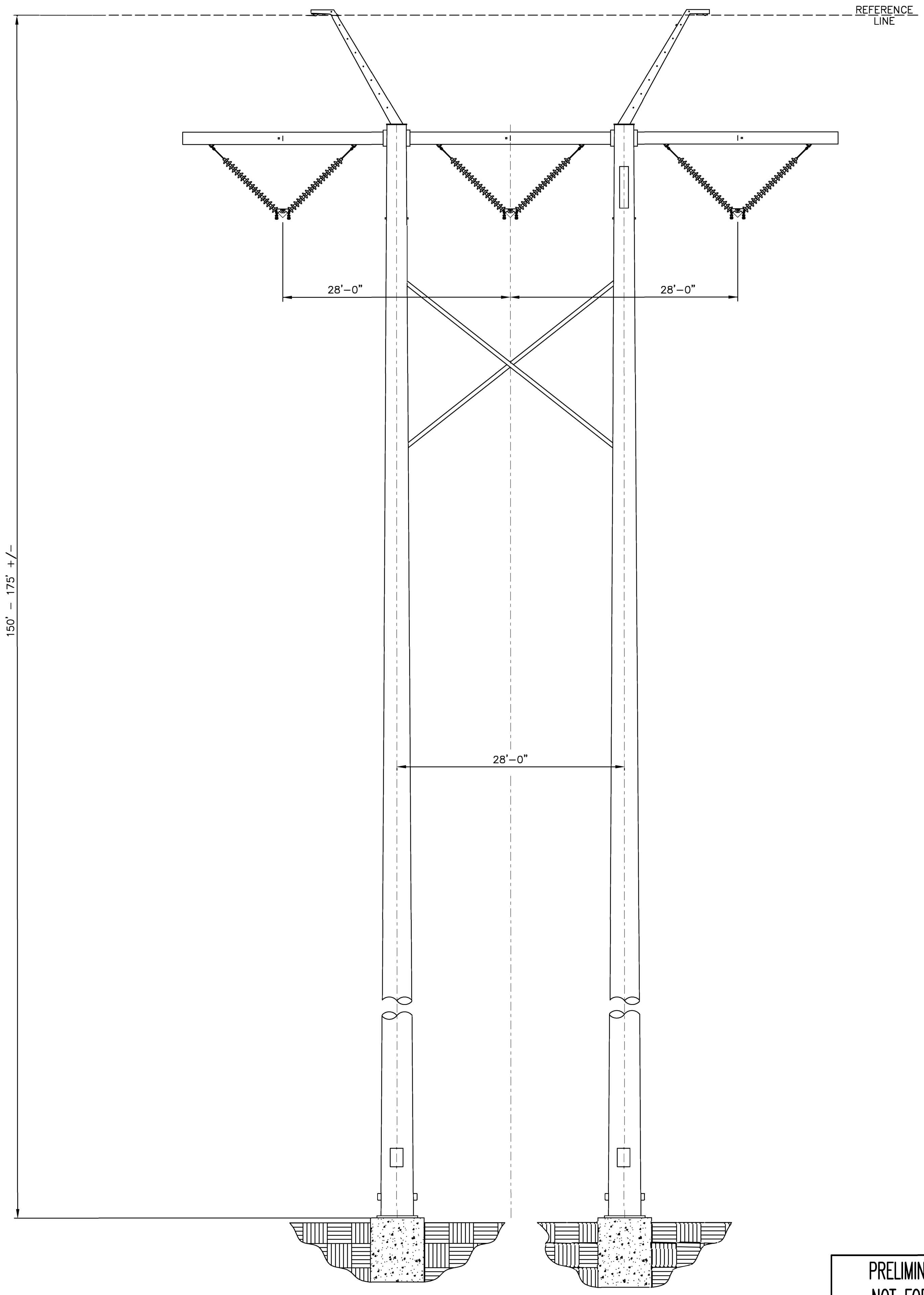
- REPLACED STRUCTURE
- EXISTING TRANSMISSION LINE

SAMMIS-STAR 345KV
 SAMMIS-WELLSVILLE 345KV
 TRANSMISSION LINE STRUCTURE REPLACEMENT PROJECT



Exhibit 3

PAPER SIZE: 17X11



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SAMMIS-STAR 345 kV and SAMMIS-WELLSVILLE 345 kV
STRUCTURE REPLACEMENT PROJECT

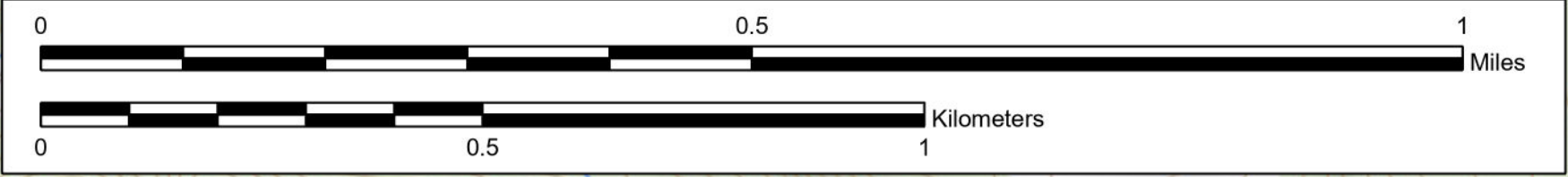


EXHIBIT 4

Sammis-Star 345 kV and Sammis-Wellsville 345 kV Transmission Line Structure Replacement Project

EXHIBIT 5

- Uploaded Project Area
- Search Area (0.5-mile buffer)
- NR Listings
- SHPO Determinations
- Federal Tax Credit Projects
- Historic Inventory
- OGS Cemeteries
- NR Boundaries
- Previously Surveyed Areas



USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed April, 2023.



Ohio Department of Natural Resources

MIKE DeWINE, GOVERNOR

MARY MERTZ, DIRECTOR

Office of Real Estate
Tara Paciorek, Chief
2045 Morse Road – Bldg. E-2
Columbus, OH 43229
Phone: (614) 265-6661
Fax: (614) 267-4764

August 22, 2023

Jenna Slabe
TRC Companies, Inc.
1382 W 9th St, Suite 400
Cleveland, Ohio 44113

Re: 23-0869; Sammis-Star, Sammis-Wellsville, and Dobbins Toronto & Sammis-Toronto Structures Projects

Project: The proposed project involves the replacement of structure 41052 on the Sammis-Star 345 kV line; replacement of structure 40423 on the Sammis-Wellsville 345kV line; and the replacement of an insulator on Structure 8022 on the Dobbins-Toronto & Sammis-Toronto 138 kV lines.

Location: The proposed project is located in Saline Township, 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: The Natural Heritage Database has the following data within one mile of the project area:

Longnose Dace (*Rhinichthys cataractae*), state species of concern

The review was performed on the specified project area as well as an additional one-mile radius. Records searched date from 1980. The species listed above is not recorded within the specified project area boundaries.

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.

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 vicinity of records for the northern long-eared bat (*Myotis septentrionalis*), a state endangered and federally endangered species. Because presence of state endangered bat species has been established in the area, summer tree cutting is not recommended, and additional summer surveys would not constitute presence/absence in the area. However, limited summer tree cutting inside this buffer may be acceptable after further consultation with DOW (contact Eileen Wyza at Eileen.Wyza@dnr.ohio.gov).

In addition, 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 endangered 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 bat species 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. The DOW recommends tree 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 \geq 20 if possible.

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 fish species.

State Endangered

goldeye (*Hiodon alosoides*)

Ohio lamprey (*Ichthyomyzon bdellium*)

State Threatened

American eel (*Anguilla rostrata*)

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 a perennial stream, this project is not likely to impact these or other aquatic species.

The project is within the range of the eastern hellbender (*Cryptobranchus alleganiensis alleganiensis*), a state endangered species and a federal species of concern. This long-lived, entirely aquatic salamander inhabits perennial streams with large flat rocks. In-water work in hellbender streams can reduce availability of large cover rocks and can destroy hellbender nests and/or kill adults and juveniles. The contribution of additional sediment to hellbender streams can smother large cover rocks and gravel/cobble substrate (used by juveniles), making them unsuitable for refuge and nesting. Projects that contribute to altered flow regimes (e.g., by increasing areas of impervious surfaces or modifying the floodplain) can also adversely affect hellbender habitat. Due to the location, and that there is no in-water work proposed in a perennial stream of sufficient size to provide suitable habitat, this project is not likely to impact this species.

The project is within the range of the northern harrier (*Circus hudsonius*), a state endangered bird. This is a common migrant and winter species. Nesters are much rarer, although they occasionally breed in large marshes and grasslands. Harriers often nest in loose colonies. The female builds a nest out of sticks on the ground, often on top of a mound. Harriers hunt over grasslands. If this type of habitat will be impacted, construction should be avoided in this habitat during the species' nesting period of April 15 through July 31. If this habitat will not be impacted, 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.

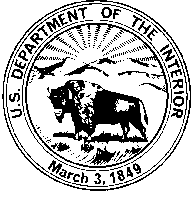
Water Resources: The Division of Water Resources has the following comment.

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

United States Department of the Interior



FISH AND WILDLIFE SERVICE

Ecological Services
4625 Morse Road, Suite 104
Columbus, Ohio 43230
(614) 416-8993 / FAX (614) 416-8994



August 4, 2023

Project Code: 2023-0104888

Dear Ms. Jenna Slabe :

The U.S. Fish and Wildlife Service (Service) has received your recent correspondence requesting information about the subject proposal. We offer the following comments and recommendations to assist you in minimizing and avoiding adverse impacts to threatened and endangered species pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq), as amended (ESA).

Federally Threatened and Endangered Species: Due to the project type, size, location, and the proposed implementation of seasonal tree cutting (clearing of trees ≥ 3 inches diameter at breast height between October 1 and March 31) to avoid impacts to the endangered Indiana bat (*Myotis sodalis*) and northern long-eared bat (*Myotis septentrionalis*), and the proposed endangered tri-colored bat (*Perimyotis subflavus*) we do not anticipate adverse effects to any other federally endangered, threatened, or proposed species, or proposed or designated critical habitat. Should the project design change, or additional information on listed or proposed species or their critical habitat become available, or if new information reveals effects of the action that were not previously considered, coordination with the Service should be initiated to assess any potential impacts.

Section 7 Coordination: If there is a federal nexus for the project (e.g., federal funding provided, federal permits required to construct), then no tree clearing should occur on any portion of the project area until consultation under section 7 of the ESA, between the Service and the federal action agency, is completed. We recommend the federal action agency submit a determination of effects to this office, relative to the Indiana bat and northern long-eared bat, for our review and concurrence. This letter provides technical assistance only and does not serve as a completed section 7 consultation document.

Stream and Wetland Avoidance: Over 90% of the wetlands in Ohio have been drained, filled, or modified by human activities, thus is it important to conserve the functions and values of the remaining wetlands in Ohio (https://epa.ohio.gov/portals/47/facts/ohio_wetlands.pdf). We recommend avoiding and minimizing project impacts to all wetland habitats (e.g., forests, streams, vernal pools) to the maximum extent possible in order to benefit water quality and fish and wildlife habitat. Additionally, natural buffers around streams and wetlands should be preserved to enhance beneficial functions. If streams or wetlands will be impacted, the U.S. Army Corps of Engineers should be contacted to determine whether a Clean Water Act section 404 permit is required. Best management practices should be used to minimize erosion, especially on slopes. Disturbed areas should be mulched and revegetated with native plant

species. In addition, prevention of non-native, invasive plant establishment is critical in maintaining high quality habitats.

Thank you for your efforts to conserve listed species and sensitive habitats in Ohio. We recommend coordinating with the Ohio Department of Natural Resources due to the potential for the proposed project to affect state listed species and/or state lands. Contact Mike Pettegrew, Environmental Services Administrator, at (614) 265-6387 or at mike.pettegrew@dnr.ohio.gov.

If you have questions, or if we can be of further assistance in this matter, please contact our office at (614) 416-8993 or ohio@fws.gov.

Sincerely,



Patrice Ashfield
Field Office Supervisor