AMERICAN TRANSMISSION SYSTEMS, INCORPORATED
A FIRSTENERGY COMPANY

CONSTRUCTION NOTICE

EAST SPRINGFIELD-TANGY 138 kV TRANSMISSION LINE STRUCTURE REPLACEMENT PROJECT

OPSB CASE NO.: 17-2010-EL-BNR

October 5, 2017

American Transmission Systems, Incorporated
76 South Main Street
Akron, Ohio 44308
CONSTRUCTION NOTICE
EAST SPRINGFIELD-TANGY 138 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: Name


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

In this Project, American Transmission Systems, Incorporated (“ATSI”), a FirstEnergy company, is proposing to replace Structure #11548 on the East Springfield-Tangy 138 kV Transmission Line with a new structure approximately 10 feet taller in the same location. The new structure is needed to comply with current National Electric Safety Code (“NESC”) standards and reduce the potential for uplift in this area of the transmission line.

The general location of the Project is shown in Exhibit 1, a partial copy of the United States Geologic Survey, Delaware County, OH Quad Map. Exhibit 2 is a partial copy of Bing aerial imagery. The Project is located at approximately 0.5 miles northwest of the intersection of Bunty Station Rd and Liberty Rd. The general layout is shown in Exhibit 3. The Project will be located in Delaware Township, Delaware County, Ohio.

The Project area is directly adjacent to the project area of the London-Tangy 138 kV Transmission Line Relocation and Tangy Substation Expansion Project, Case Number 17-1288-EL-BNR.
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 transmission 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 (1)(b) as it involves replacing one (1) structure along the East Springfield-Tangy 138 kV Transmission Line.

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

The Project is needed to comply with current NESC standards and reduce the potential for uplift on the transmission line. The need for this improvement was discovered when the structure was modeled for an OPGW installation project. The modeling found that under existing conditions, or with OPGW installed, the structure was loaded to 151% under NESC 250 B Heavy load for Grade C construction. Additionally, it was found under the same conditions that the structure had 85 lbs of uplift under -20°F degree conditions at the static wire attachment. The recommended solution to these conditions is to replace the pole with a taller structure and to use brace-post insulators instead of horizontal post insulators.

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. 2017 Long-Term Forecast Report. This map was submitted to the PUCO in Case No. 17-0913-EL-FOR under Rule 4901:5-5:04 (C)(2)(b) of the Ohio Administrative Code. The map is incorporated by reference only. This map shows ATSI’s 345 kV and 138 kV transmission lines and transmission substations including the East Spring-Tangy 138 kV Transmission Line. The Project area is located approximately 4 5/8 inches (11” x 17” printed version) from the left edge of the map and 7 5/8 inches (11” x 17” printed version) from the top of the map. The general location and layout of the Project area is shown in Exhibit 1 and 2.

4906-6-05 (B)(4): Alternatives Considered
Due to the nature of the Project no alternatives were considered.

4906-6-05 (B)(5): Public Information Program
ATSI’s manager of External Affairs will advise local officials of features and the status of the proposed Transmission Line Project as necessary. ATSI will maintain a copy of this Construction Notice on FirstEnergy’s website. Letters will be sent to affected property owners at least 7 days before construction begins on the project informing them of the Project’s start and a proposed timeframe of construction and restoration activities.

4906-6-05 (B)(6): Construction Schedule
The construction schedule for this Project is expected to begin as early as October 30, 2017 and completed by November 10, 2017.

4906-6-05 (B)(7): Area Map
Exhibit 1 depicts the general location of the Project. This Exhibit provides a partial copy of the United States Geological Survey, Delaware County OH, quadrangle map. Exhibit 2 is a partial copy of Bing aerial imagery.

4906-6-05 (B)(8): Property Owner List
The Project is located on existing right-of-way and no new right-of-way is required for the Project. Table 1 contains a list of property owners affected by the project.
Table 1: Property Owner List

<table>
<thead>
<tr>
<th>Parcel Number</th>
<th>Property Owner</th>
<th>Property Address</th>
<th>Easement Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>41924001043000</td>
<td>Ohio Edison Company</td>
<td>1484 Bunty Station Rd</td>
<td>Owned In Fee</td>
</tr>
<tr>
<td>41924001032000</td>
<td>Ohio Edison Company</td>
<td>1484 Bunty Station Rd</td>
<td>Owned In Fee</td>
</tr>
</tbody>
</table>

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: 138 kV
Conductors: 336.4 kcmil 26/7 ACSR
Static Wire: SFSJ-J-6641 OPGW
Insulators: Braced-Post Polymer
ROW Width: 200 feet
Structure Types: Exhibit 4: Single Circuit, Wood Pole Tangent Structure with Brace-Post Insulators. One (1) structure is needed.

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

The closest occupied residence or institution is approximately 1,500 feet from the proposed transmission line centerline therefore Electric and Magnetic Field ("EMF") calculations are not required by this code provision.

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

The estimated capital cost for the proposed project is approximately $60,500.
4906-6-05 (B)(10): SOCIAL AND ECOLOGICAL IMPACTS

4906-6-05 (B)(10)(a): Land Uses
The Project is located in Delaware Township, Delaware County Ohio. The land around the Project area is zoned as agricultural land. The main land use around Tangy Substation is agriculture, along with a utility and railroad corridor.

4906-6-05 (B)(10)(b): Agricultural Land
Agricultural land exists within the Project’s anticipated area of disturbance. None of the parcels are registered as agricultural districts. The impacts to the agricultural land are expected to be minimal. A list of all agricultural land and the approximate tillable acreage is given in Table 2.

<table>
<thead>
<tr>
<th>Parcel Number</th>
<th>Property Owner</th>
<th>Acreage</th>
<th>Agricultural District</th>
<th>Agricultural District Expiration</th>
</tr>
</thead>
<tbody>
<tr>
<td>41924001043000</td>
<td>Ohio Edison Company</td>
<td>39.78</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>41924001032000</td>
<td>Ohio Edison Company</td>
<td>11.26</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

4906-6-05 (B)(10)(c): Archaeological or Cultural Resources
A search of Ohio Historic Preservation Office (“OHPO”) online database was conducted as part of the London-Tangy 138 kV Transmission Line Relocation and Tangy Substation Expansion Project (OPSB Case No. 17-1288-EL-BNR) to identify the existence of any significant archeological or cultural resource sites within 0.5 miles of the Project Area. Since the Project limits are within the previous’ project search area the same results and conclusion for the above mentioned project are presented here.

The results of the search are shown in Exhibit 5. The specific location of any archeological resources are excluded from the map and are instead listed in Table 3. 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 eligible sites were identified within 0.5 miles of the Project’s potential disturbance 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. Fourteen (14) OAI listed archeological resources have been previously inventoried within 0.5 miles of the Project area and are identified in Table 3. No listed structural resources are located within 0.5 miles of the Project area. Seven (7) previous cultural resource surveys were conducted within 0.5 miles of the Project area and are listed in Table 4. No OSG cemeteries are located within 0.5 miles of the Project area.

Table 3. List of OAI Listed Archeological Resources

<table>
<thead>
<tr>
<th>OAI Number</th>
<th>Affiliation</th>
<th>Description</th>
<th>County</th>
<th>Quad Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>DL0921</td>
<td>Prehistoric</td>
<td>Unknown Prehistoric</td>
<td>Delaware</td>
<td>Delaware</td>
</tr>
<tr>
<td>DL0922</td>
<td>Historic</td>
<td>Non-Aboriginal</td>
<td>Delaware</td>
<td>Delaware</td>
</tr>
<tr>
<td>DL0923</td>
<td>Historic</td>
<td>Non-Aboriginal</td>
<td>Delaware</td>
<td>Delaware</td>
</tr>
<tr>
<td>DL0924</td>
<td>Prehistoric</td>
<td>Unknown Late Archaic</td>
<td>Delaware</td>
<td>Delaware</td>
</tr>
<tr>
<td>DL1921</td>
<td>Prehistoric</td>
<td>Unknown Prehistoric</td>
<td>Delaware</td>
<td>Delaware</td>
</tr>
<tr>
<td>DL1922</td>
<td>Prehistoric</td>
<td>Unknown Prehistoric</td>
<td>Delaware</td>
<td>Delaware</td>
</tr>
<tr>
<td>DL1923</td>
<td>Prehistoric</td>
<td>Unknown Prehistoric</td>
<td>Delaware</td>
<td>Delaware</td>
</tr>
<tr>
<td>DL2171</td>
<td>Prehistoric</td>
<td>Unknown Prehistoric</td>
<td>Delaware</td>
<td>Delaware</td>
</tr>
<tr>
<td>DL2172</td>
<td>Prehistoric</td>
<td>Unknown Prehistoric</td>
<td>Delaware</td>
<td>Delaware</td>
</tr>
<tr>
<td>DL2173</td>
<td>Prehistoric</td>
<td>Unknown Prehistoric</td>
<td>Delaware</td>
<td>Delaware</td>
</tr>
<tr>
<td>DL2174</td>
<td>Prehistoric</td>
<td>Unknown Prehistoric</td>
<td>Delaware</td>
<td>Delaware</td>
</tr>
<tr>
<td>DL2175</td>
<td>Prehistoric</td>
<td>Unknown Prehistoric</td>
<td>Delaware</td>
<td>Delaware</td>
</tr>
<tr>
<td>DL2176</td>
<td>Prehistoric</td>
<td>Unknown Prehistoric</td>
<td>Delaware</td>
<td>Delaware</td>
</tr>
<tr>
<td>DL2170</td>
<td>Prehistoric</td>
<td>Unknown Prehistoric</td>
<td>Delaware</td>
<td>Delaware</td>
</tr>
</tbody>
</table>
Table 4. List of Previous Cultural & Historic Resource Surveys

<table>
<thead>
<tr>
<th>Year</th>
<th>Name</th>
<th>County</th>
<th>Municipality</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006</td>
<td>Report of Phase I Cultural Resources Survey for the Proposed Sawmill Parkway Extension in Liberty and Delaware Townships, Delaware County, Ohio</td>
<td>Delaware</td>
<td>Delaware Township, Liberty Township, &amp; City of Delaware</td>
</tr>
<tr>
<td>1996</td>
<td>Phase I Archeological Survey For Ohio Edison Company’s Proposed Kirby-Tangy 138 kV Transmission Line In Union And Delaware Counties, Ohio</td>
<td>Delaware</td>
<td>Delaware Township</td>
</tr>
<tr>
<td>1996</td>
<td>Phase I Cultural Resource Survey For The Proposed 14 Acre Delaware Township Park In Delaware Township, Delaware County, Ohio</td>
<td>Delaware</td>
<td>Delaware Township</td>
</tr>
<tr>
<td>2006</td>
<td>Cultural Resource Survey Report for the Costello RL Site # A6C0230C Proposed Cellular Tower, 3190 Liberty Road, Delaware, Delaware County, Ohio</td>
<td>Delaware</td>
<td>Delaware Township</td>
</tr>
<tr>
<td>2007</td>
<td>Phase I Cultural Resources Survey of the SW Delaware County Supply Line in Delaware and Liberty Townships, Delaware County, Ohio</td>
<td>Delaware</td>
<td>Delaware Township, Liberty Township, &amp; City of Delaware</td>
</tr>
<tr>
<td>1986</td>
<td>A Phase I and Phase II Archaeological Survey of a 345 KV Ohio Edison Double Circuit Transmission Line (Hyatt-Tangy/Marysville-Tangy) in Delaware and Liberty Townships, Delaware County, Ohio</td>
<td>Delaware</td>
<td>Delaware Township, Liberty Township</td>
</tr>
<tr>
<td>2014</td>
<td>Addendum 3: Phase I Archaeological Survey for the London-Tangy Electric Transmission Line Project, Union and Delaware Counties, Ohio</td>
<td>Delaware</td>
<td>Delaware Township</td>
</tr>
</tbody>
</table>

Based upon the results of the OHPO online database, the Project area was previously surveyed for cultural resources in 1996 for the Kirby-Tangy 138 kV Transmission Line built as part of the Crissinger-Tangy 138 kV Electric Transmission Line Project (OPSBI Case No. 91-1229-EL-BTX) and in 2014 for the London-Tangy 138 kV Transmission Line built as part of the East Springfield-London-Tangy 138 kV Transmission Line Project and Amendment to the East Springfield-London-Tangy 138 kV Transmission Line Project (OPSBI Case No. 11-4884-EL-BTX & 13-2112-EL-BTA).
The results of these Phase I cultural surveys show no archeological resources within the proposed Project area. Based on these search results no cultural and archeological impacts are expected for the proposed Project.

4906-6-05 (B)(10)(d): Local, State, and Federal Requirements
No additional government agency requirements are needed for this Project at the time of filing.

4906-6-05 (B)(10)(e): Endangered, Threatened, and Rare Species Investigation
ATSI submitted a request to the Ohio Department of Natural Resources (“ODNR”) Office of Real Estate to conduct an Environmental Review on December 29, 2016. 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 February 16, 2017 indicated that the Project Area is within the range of three (3) state and federally endangered species, one (1) state endangered and federal candidate species, and two (2) state threatened species. A copy of ODNR’s Office of Real Estate’s response is included as Exhibit 7.

ATSI also submitted a request to the US Fish and Wildlife Service (“USFWS”) for an Ecological Review on December 29, 2016, to research the presence of any endangered, threatened, or rare species within one (1) mile of the Project area. A copy of USFWS’s Ecological Review response is included as Exhibit 8. The USFWS’s response on January 5, 2017 indicated that the Project is within the range of one (1) federally endangered and one (1) federally threatened species. A list of all endangered, threatened, and rare species, as identified by ODNR and USFWS, is provided in Table 5.
Both requests were submitted for the London-Tangy 138 kV Transmission Line Relocation and Tangy Substation Expansion Project (OPSB Case No. 17-1288-EL-BNR). Since the Project area is adjacent to that project and the ODNR & USFWS comments are within the last two years the same results and conclusion from the previous project are presented here.

The response from ODNR and USFWS indicated the Project is within the range of the federal and state endangered Indiana Bat (*Myotis sodalis*) and the federal and state threatened Northern Long-Eared Bat (*Myotis septentrionalis*). No impacts to these species are expected due to the Project area location in maintained right-of-way and agricultural land where no tree clearing is required.

The response from ODNR indicated that the Project Area is within the range of the federally and state endangered Rayed Bean (*Villosa fabalis*), and Snuffbox (*Epioblasma triquetra*); the federal candidate and state endangered Rabbitfoot (*Quadrula cylindrica*

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Scientific Name</th>
<th>Federal Listed Status</th>
<th>State Listed Status</th>
<th>Affected Habitat</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indiana Bat</td>
<td><em>Myotis sodalis</em></td>
<td>Endangered</td>
<td>Endangered</td>
<td>Trees &amp; Forest</td>
</tr>
<tr>
<td>Northern Long-Ear Bat</td>
<td><em>Myotis septentrionalis</em></td>
<td>Threatened</td>
<td>Threatened</td>
<td>Trees &amp; Forest</td>
</tr>
<tr>
<td>Rayed Bean</td>
<td><em>Villosa fabalis</em></td>
<td>Endangered</td>
<td>Endangered</td>
<td>Perennial Streams</td>
</tr>
<tr>
<td>Snuffbox</td>
<td><em>Epioblasma triquetra</em></td>
<td>Endangered</td>
<td>Endangered</td>
<td>Perennial Streams</td>
</tr>
<tr>
<td>Rabbitfoot</td>
<td><em>Quadrula cylindrica</em></td>
<td>Candidate</td>
<td>Endangered</td>
<td>Perennial Streams</td>
</tr>
<tr>
<td>Black Sandshell</td>
<td><em>Ligumia recta</em></td>
<td>N/A</td>
<td>Threatened</td>
<td>Perennial Streams</td>
</tr>
<tr>
<td>Pondhorn</td>
<td><em>Uniomerus tetralasmus</em></td>
<td>N/A</td>
<td>Threatened</td>
<td>Perennial Streams</td>
</tr>
</tbody>
</table>
and the state threatened Black Sandshell (*Ligumia recta*), and Pondhorn (*Uniomerus tetralasmus*). No impacts to these species are expected due to the Project’s location and the fact that no work is proposed in perennial streams.

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

ATSI submitted a request to the Ohio Department of Natural Resources (“ODNR”) Office of Real Estate to conduct an Environmental Review on December 29, 2016. The ODNR Office of Real Estate researched the presence of any unique ecological sites, geological features, animal assemblages, scenic rivers, state wildlife areas, nature preserves, parks or forest, national wildlife refuges, or other protected natural areas within one (1) mile of the project area. The ODNR’s Office of Real Estate’s response on February 16, 2017 indicated that they have two (2) records of such areas within one (1) mile of the identified Project area.

This request was submitted for the London-Tangy 138 kV Transmission Line Relocation and Tangy Substation Expansion Project (OPSB Case No. 17-1288-EL-BNR). Since the Project area is adjacent to that project and the ODNR & USFWS comments are within the last two years the same results and conclusion from the previous’ project are presented here.

The first wildlife area is Stratford Woods State Nature Preserve which is located approximately 0.30 miles away from the Project. Due to the distance away from the Project area there are no anticipated impacts to the Stratford Woods State Nature Preserve. The second wildlife area is Havener Park in Liberty Township which is located approximately 1.0 mile away from the Project. Due to the distance away from the Project area there are no anticipated impacts to the Stratford Woods State Nature Preserve.

ATSI conducted a wetland and waters assessment of the Project area during the London-Tangy 138 kV Transmission Line Relocation and Tangy Substation Expansion Project (OPSB Case No. 17-1288-EL-BNR). The investigation focused on an approximately 6-acre study area around the proposed Project centerline, substation expansion, and
additional workspace areas. During the study, ATSI identified two wetland areas. One wetland was identified approximately 260 feet west of the existing substation in a forested area and is not part of the Project area. The other emergent wetland was identified approximately 50 feet north of the existing substation within the Project area. A copy of ATSI’s wetland and waters assessment is provided as Exhibit 8.

There will be no structural encroachment of the emergent wetland north of the Tangy Substation. Construction access through this area will avoid the emergent wetland to the extent practicable. Temporary access, where necessary will utilize construction matting to avoid impact. Additionally, orange construction fencing will be installed to prevent unplanned access. A map of the access road is depicted in Exhibit 3.

The Project work limits do not encroach on any regulated flood plains based on a review of online FEMA Flood Insurance Rate Mapping.

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 provided concurrently with its docketing with the Board to the following officials in Delaware Township, Delaware County, Ohio.
Delaware County

Commissioner Barb Lewis,  
President  
Delaware County Commissioners  
101 N. Sandusky Street  
Delaware, OH 43015

Mr. Chris Bauserman, P.E., P.S.  
Delaware County Engineer  
50 Channing Street  
Delaware, Ohio 43015

Commissioner Jeff Benton,  
Vice President  
Delaware County Commissioners  
101 N. Sandusky Street  
Delaware, OH 43015

Mr. Scott Sanders, Director  
Delaware Regional Planning Commission  
109 N Sandusky Street  
Delaware, OH 43015

Commissioner Gary Merrell,  
Delaware County Commissioners  
101 N. Sandusky Street  
Delaware, OH 43015

Mr. Larry Ufferman, Director  
Delaware Soil & Water Conservation District  
557-A Sunbury Rd.  
Delaware, OH 43015

Delaware Township

Mr. Roger M. VanSickle, Chairman  
Delaware Township Trustees  
2590 Liberty Road  
Delaware, OH 43015

Mr. Steven J. Jefferis,  
Executive Member  
Delaware Township Trustees  
2590 Liberty Road  
Delaware, OH 43015

Mr. Kevin Hennessy, Vice Chairman  
Delaware Township Trustees  
2590 Liberty Road  
Delaware, OH 43015

Ms. Barbara Thomas  
Delaware Township Fiscal Officer  
2590 Liberty Road  
Delaware, OH 43015

Library

Mr. George Needham, Director  
Delaware District Library  
84 E. Winter Street  
Delaware, OH 43015

Copies of the transmittal letters to these officials have been included with this application as proof of compliance under OAC Rule 4906-6-07 (B) to provide the Board with proof of notice to local officials as required by OAC Rule 4906-6-07 (A)(1) and to libraries per OAC Rule 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 to meet the requirements of OAC Rule 4906-6-07 (B) and to provide the Board with proof of compliance with the notice requirements in OAC Rule 4906-6-07 (A)(3).
Exhibit 2

Map Created On: 9/18/2017

Legend

- Project Area

East Springfield-Tangy 138 kV Transmission Line Structure Replacement Project

Map Created On: 9/18/2017
This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Copyright/Disclaimer

Datum: [Datum]
Projection: WGS_1984_Web_Mercator_Auxiliary_Sphere
May 3, 2017

William Beutler  
FirstEnergy  
76 South Main Street  
Akron, Ohio 44308

Re: 17-248; Emily-Fox 138 kV Transmission Line Relocation for the OH-82/ Royalton Road Expansion Project

Project: The proposed project involves the relocation of two (2) transmission line poles and three (3) stub poles of the Emily-Fox 138 kV Transmission Line to the south of its current location for the expansion of OH-82/Royalton Road.

Location: The proposed project is located in the City of North Royalton, Cuyahoga 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 record at or within a one-mile radius of the project area:

Brecksville Reservation – Cleveland Metroparks  
Mill Stream Run Reservation – Cleveland Metroparks

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 vicinity of one or more records for the Indiana bat (*Myotis sodalis*), a state endangered and federally endangered species. Presence of the Indiana bat has been established in the area, and therefore additional summer surveys would not constitute presence/absence in the area. 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 no tree removal is proposed, this project is not likely to impact this species.

The project is within the range of the channel darter (*Percina copelandi*), a state threatened fish, and the bigmouth shiner (*Notropis dorsalis*), a state threatened fish. The DOW recommends no in-water work from April 15 through June 30 to reduce impacts to indigenous aquatic species and their habitat. If no in-water work is proposed in a perennial stream, this project is not likely to impact these or other aquatic species.

The project is within the range of the Blanding's turtle (*Emydoidea blandingii*), a state threatened species. This species inhabits marshes, ponds, lakes, streams, wet meadows, and swampy forests. Although essentially aquatic, the Blanding’s turtle will travel over land as it moves from one wetland to the next. Due to the location, the type of habitat present at the project site, and within the vicinity of the project area, and the type of work proposed, this project is not likely to impact this species.

The project is within the range of the spotted turtle (*Clemmys guttata*), a state threatened species. This species prefers fens, bogs and marshes, but also is known to inhabit wet prairies, meadows, pond edges, wet woods, and the shallow sluggish waters of small streams and ditches. Due to the location, the habitat at the project site and within the vicinity of the project area, and the type of work proposed, this project is not likely to impact this species.

The project is within the range of the piping plover (*Charadrius melodus*), a state endangered and federally endangered bird, and the Kirtland’s warbler (*Setophaga kirtlandii*), a state endangered and federally endangered bird. These species do not nest in the state but do utilize stopover habitat as they migrate through the region. Due to the location, and the type of work proposed, this project is not likely to impact these species.

The project is within the range of the king rail (*Rallus elegans*), a state endangered bird. Nests for this species are deep bowls constructed out of grass and usually hidden very well in marsh
vegetation. Due to the location, the habitat at the project site and within the vicinity of the project area, and the type of work proposed, this project is not likely to impact this species.

The project is within the range of the upland sandpiper (*Bartramia longicauda*), a state endangered bird. Nesting upland sandpipers utilize dry grasslands including native grasslands, seeded grasslands, grazed and ungrazed pasture, hayfields, and grasslands established through the Conservation Reserve Program (CRP). Due to the location, the habitat at the project site and within the vicinity of the project area, and the type of work proposed, 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, the 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 U.S. 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. Your local floodplain administrator contact information can be found at the website below.


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
Dear Mr. Beutler,

We have received your recent correspondence requesting information about the subject proposal. There are no federal wilderness areas, wildlife refuges or designated critical habitat within the vicinity of the project area. The following comments and recommendations will assist you in fulfilling the requirements for consultation under section 7 of the Endangered Species Act of 1973, as amended (ESA).

The U.S. Fish and Wildlife Service (Service) recommends that proposed developments avoid and minimize water quality impacts and impacts to high quality fish and wildlife habitat (e.g., forests, streams, wetlands). Additionally, natural buffers around streams and wetlands should be preserved to enhance beneficial functions. If streams or wetlands will be impacted, the 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. All disturbed areas should be mulched and revegetated with native plant species. Prevention of non-native, invasive plant establishment is critical in maintaining high quality habitats.

FEDERALLY LISTED SPECIES COMMENTS: All projects in the State of Ohio lie within the range of the federally endangered Indiana bat (Myotis sodalis) and the federally threatened northern long-eared bat (Myotis septentrionalis). In Ohio, presence of the Indiana bat and northern long-eared bat is assumed wherever suitable habitat occurs unless a presence/absence survey has been performed to document absence. Suitable summer habitat for Indiana bats and northern long-eared bats consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥3 inches diameter at breast height (dbh) that have any exfoliating bark, cracks, crevices, hollows and/or cavities), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of other forested/wooded habitat. Northern long-eared bats have also been observed roosting in human-made structures, such as buildings, barns, bridges, and bat houses; therefore, these structures should also be considered potential summer habitat. In the winter, Indiana bats and northern long-eared bats hibernate in caves and abandoned mines.

Should the proposed site contain trees ≥3 inches dbh, we recommend that trees be saved wherever possible. If any caves or abandoned mines may be disturbed, further coordination with this office is requested to determine if fall or spring portal surveys are warranted. If no caves or abandoned mines are present and trees ≥3 inches dbh cannot be avoided, we recommend that removal of any trees ≥3 inches dbh only occur between October 1 and March 31. Seasonal clearing is being recommended to avoid adverse effects to Indiana bats and northern long-eared bats. While incidental take of northern long-eared bats from most tree clearing is exempted by a 4(d) rule (see http://www.fws.gov/midwest/endangered/mammals/nleb/index.html), incidental take of Indiana bats is still prohibited without a project-specific exemption. Thus, seasonal clearing is recommended where Indiana bats are assumed present.

If implementation of this seasonal tree cutting recommendation is not possible, summer surveys may be conducted to document the presence or probable absence of Indiana bats within the project area during the summer. If a summer survey documents probable absence of Indiana bats, the 4(d) rule for the northern long-eared bat could be applied. Surveys must be conducted by
an approved surveyor and be designed and conducted in coordination with the Endangered Species Coordinator for this office. Surveyors must have a valid federal permit. Please note that summer surveys may only be conducted between June 1 and August 15.

If there is a federal nexus for the project (e.g., federal funding provided, federal permits required to construct), 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 that 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.

Due to the project type, size, and location, we do not anticipate adverse effects to any other federally endangered, threatened, proposed, or candidate species. Should the project design change, or during the term of this action, 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, consultation with the Service should be initiated to assess any potential impacts.

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 ESA, and are consistent with the intent of the National Environmental Policy Act of 1969 and the Service’s Mitigation Policy. This letter provides technical assistance only and does not serve as a completed section 7 consultation document. We recommend that the project be coordinated with the Ohio Department of Natural Resources due to the potential for the project to affect state listed species and/or state lands. Contact John Kessler, Environmental Services Administrator, at (614) 265-6621 or at john.kessler@dnr.state.oh.us.

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,

[Signature]

Dan Everson
Field Office Sup

cc: Nathan Reardon, ODNR-DOW

Kate Parson, ODNR-DOW
East Springfield-Tangy 138 kV Transmission Line Structure Replacement Project
Case Number 17-2010-EL-BNR

Date: October 5, 2017

Exhibit 8
Wetland & Waters Assessment
INTRODUCTION

On January 12, 2017, an area of approximately 6 acres located within the vicinity of the Tangy substation at 1484 Bunty Station Road, in Delaware, Ohio was investigated for the presence of wetland characteristics and/or evidence of other areas deemed “waters of the U.S.” Areas that exhibit hydric soils, wetland hydrology, and a dominance of hydrophytic vegetation were considered to be a wetland. Areas that display these three characteristics are subject to regulations pursuant to Section 404 of the Clean Water Act or Ohio’s isolated wetland laws. Other areas deemed “waters of the U.S.” potentially include streams or bodies of open water which may also be subject to Section 404 regulations.

METHODS

Wetlands within the project area were identified and their boundaries estimated using the procedures outlined in the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region Version 2.0 (Regional Supplement) (U.S. Army Corps of Engineers, 2010).

The project area was also screened for the presence of areas that meet the criteria for “other waters of the U.S.” These areas consist of ephemeral, intermittent, and perennial streams, as well as open water habitats such as ponds. Site drainage was determined by secondary source information and in the field using current regulatory guidance. Drainage channels that exhibited “bed and bank” and an ordinary high water mark in the channel were identified and delineated as...
jurisdictional streams. Drainage channels that did not exhibit an ordinary high water mark were regarded as drainageways.

FIELD INVESTIGATION/RESULTS

Vegetation within the project area consisted predominantly of herbaceous vegetation. One isolated forested area was identified approximately 230 feet west of the existing substation. One emergent wetland was identified approximately 50 feet north of the existing substation and a forested wetland associated with the aforementioned forested area is located approximately 260 feet west of the substation. Although outside of the project area, a drainage feature that may be jurisdictional was identified to the south of the substation. This feature drains to an unnamed tributary of the Olentangy River.

Any proposed construction activity within the wetland areas is subject to regulations pursuant to Section 404 of the Clean Water Act and any activity within the drainage feature may be subject to Section 404 regulations. If any proposed construction activity is to encroach upon this drainage feature, further investigation of this feature is warranted.
REFERENCES


Figure 1
Aerial of the Project Area showing water resources.
View facing west showing forested wetland located to the west of the Tangy substation.

View facing north showing the emergent wetland located north of the Tangy substation.
Photo 3

View facing north showing the potentially jurisdictional drainage feature located south of the Tangy substation.