

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

CONSTRUCTION NOTICE

**CANTON CENTRAL-CLOVERDALE 138 kV-
CLOVERDALE-TORREY 138 kV
STRUCTURE REPLACEMENT PROJECT**

OPSB CASE NO.: 17-1416-EL-BNR

June 15, 2017

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

CONSTRUCTION NOTICE
CANTON CENTRAL-CLOVERDALE 138 kV-CLOVERDALE-TORREY 138 kV
STRUCTURE REPLACEMENT PROJECT

The following information is being provided in accordance with Ohio Administrative Code (OAC) Chapter 4906-6 for the application and review of Accelerated Certificate Applications. Based upon the requirements found in the 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 and Reference Number

Name of Project: Canton Central-Cloverdale 138 kV-Cloverdale-Torrey 138 kV Structure Replacement Project (“Project”).

2017 LTFR Reference: This Project is not included in FirstEnergy Corp. 2017 Long Term Forecast Report submitted to the Public Utility Commission of Ohio (“PUCO”) in Case Number 17-0913-EL-FOR.

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

American Transmission Systems, Incorporated (“ATSI”), a FirstEnergy company, proposes to replace three (3) existing single wood pole transmission structures that serve both the Canton Central-Cloverdale 138 kV and Cloverdale-Torrey 138 kV Transmission Lines with laminated wood pole structures within the existing right-of-way. The Project is needed to reinforce these structures to accommodate upcoming maintenance activities.

The general location of the Project is shown in Exhibits 1 and 2. Exhibit 1 is a partial copy of the United States Geologic Survey, Canton West, Bolivar OH, Quad Map, ID numbers 40081-G4 and 40081-F4. Exhibit 2 provides a partial copy of aerial imagery, Digital

Orthophoto Quarter Quads (“DOQQ”). The general layout of the proposed Project is shown in Exhibit 3. The Project is located in Perry Township, Stark County Ohio.

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

The Project meets the requirements for a Construction Notice based on Item (2) (a) of the Application Requirement Matrix for Electric Power Transmission Lines Appendix A of OAC Rule 4906-1-01, which 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 structures, for a distance of:

(a) Two miles of less

The proposed Project involves replacing three (3) existing single wood pole transmission structures that serve both the Canton Central-Cloverdale 138 kV and Cloverdale-Torrey 138 kV Transmission Lines with laminated wood pole structures. The new structures will be placed within the existing right-of-way. No new right-of-way is required for this Project.

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

The Project requires the replacement of three (3) existing single wood pole structures with laminated wood pole structures on the Cloverdale – Canton Central, and the Cloverdale–Torrey 138 kV Transmission Line corridor to accommodate future maintenance activities consisting of the replacement of the existing transmission line static wire with OPGW.

4609-6-05 (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. 2015 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) 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 Canton Central-Cloverdale 138 kV and Cloverdale-Torrey 138 kV Transmission Lines. The project area is located approximately 9 ¾ inches (11" x 17" printed version) from the left edge of the map and 5 ¼ inches (11" x 17" printed version) from the top of the map. The general location and layout of the project area is shown in Exhibits 1 through 3.

4609-6-05 (B)(4): Alternatives Considered

No alternatives were considered for this Project.

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

ATSI's manager of External Affairs will advise local officials of the proposed Transmission Line Project as necessary. ATSI will maintain a copy of this Construction Notice on FirstEnergy's website.

4609-6-05 (B)(6): Construction Schedule

The construction schedule for this Project is expected to begin as early as September 18, 2017 and completed by December 31, 2017.

4609-6-05 (B)(7): Area Map

Exhibits 1 and 2 depict the general location of the Project. Exhibit 1 provides a partial copy of the United States Geologic Survey, Canton West, Bolivar OH quadrangle map, Quad Order ID numbers 40081-G4 and 40081-F4. Exhibit 2 provides a partial copy of aerial imagery, DOQQ.

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

The Project is located on existing right-of-way owned by ATSI. No new easements or right-of-way for the transmission structures will need to be acquired. The property information for this Project is listed below and was obtained through the Stark County Auditor's website.

Table 1. List of Affected Property Owners

Parcel Number	Property Owner	Property Address	Easement Status
4318833	Timken Steel Corporation	Navarre Rd. SW OH	Previously Obtained
4316485	Timken Steel Corporation	4511 Faircrest St. SW Canton OH 44706-3513	Previously Obtained
4399034	Wheeling & Lake Erie Railway Company	Faircrest St. SW OH	Previously Obtained

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

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

The transmission line construction will have the following characteristics:

Voltage:	138 kV
Conductors:	336.4 kcmil 30/7 ACSR – Canton Central-Cloverdale 138 kV 477 kcmil 26/7 ACSR – Cloverdale-Torrey 138 kV
Static Wire:	SFSJ-J-6641 OPGW
Insulators:	138 kV Polymer Braced Post
ROW Width:	100 feet
Structure Types:	Double Circuit, Single Laminated Wood Pole Structure (Exhibit 4)

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

The closest occupied residence or institution is approximately 790 feet from the transmission line centerline. As this distance is greater than the 100 feet, Electric and Magnetic Field (“EMF”) calculations have not been estimated.

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

The estimated capital cost for the proposed Project is approximately \$140,000.

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

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

The Project is located in Perry Township, Stark County, Ohio. Based on the US Bureau of Census estimates the 2010 population of Perry Township was 28,353. The 2010 population of Stark County was 375,586.

The Project area is in industrial zoned land. As the proposed Project involves replacement of the existing structures within the existing corridor, no significant changes or impacts to the current land use is anticipated.

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

Agricultural land use does not exist within the Project limits.

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

A search of Ohio Historic Preservation Office’s (“OHPO”) National Register of Historic Places (“NRHP”) online database was conducted to identify the existence of any significant archaeological or cultural resource sites within 0.5 miles 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 NRHP, including districts, sites, buildings, structures, and objects that are significant in American history, architecture, archaeology, engineering, and culture.

The results of the search indicate that there are no Listed NRHP properties and no OHPO eligible properties 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. The results of the search indicate that no OAI listed archaeological resources or OHI listed structural resources were identified within 0.5 miles of the Project potential disturbance area.

Two (2) previous archaeological resource surveys were conducted within 0.5 miles of the Project area. The previous cultural resources surveys are identified in Table 2.

Table 2. Previous Cultural Resource Surveys

Year	Name	County	Municipality
1989	Cultural Resource Survey of EDC Inc.'s Proposed 5.3 Mile Gas Pipeline in Perry and Bethlehem Townships, Stark County, Ohio.	Stark, Ohio	Perry Township
2013	Phase I Archaeological Investigations for American Electric Power's 16 km (10 mi) South Canton-West Canton 138 kV Line Project in Jackson, Perry, Pike and Canton Townships, Stark County, Ohio.	Stark, Ohio	Perry Township

There are no OAI sites located within 0.5 miles of the Project's potential disturbance area. As the proposed Project involves replacing three (3) existing transmission structures in approximately the same respective locations, no changes or impacts to archaeological and cultural resources are anticipated.

4906-6-05 (B)(10)(d): Local, State, and Federal Requirements

Table 3 shows the list of government agency requirements and the filing status at the time of filing.

Table 3. List of Government Agency Requirements to be Secured Prior to Construction

Agency	Permit Requirement	Status
Ohio EPA	General NPDES Construction Storm Water Permit	Will be Filed
Stark County Soil and Water District	General NPDES Construction Storm Water Permit	Will be Filed
Wheeling & Lake Erie Railroad	Crossing permit	Will be Filed

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

As part of its preparation of this Application, ATSI retained AECOM as a consultant on the Project. During its investigation, AECOM submitted a request to the Ohio Department of Natural Resources-Division of Wildlife (“ONDR”) in February 2017 to research the presence of any endangered, threatened, or rare species within one (1) mile of the Project area. A copy of ODNR’s environmental review response is included as Exhibit 6.

The ONDR’s response on March 21, 2017, indicated records of the following aquatic species within one mile of the Project area:

- Clubshell (*Pleurobema clava*) - state endangered and federally endangered mussel.
- Rabbitfoot (*Quadrula cylindrica cylindrica*) - state endangered and federal candidate mussel.
- Long-solid (*Fusconaia maculata maculata*) - state endangered mussel.
- Iowa Darter (*Etheostoma exile*) - state endangered fish.
- Spotted Turtle (*Clemmys guttata*) - state threatened species.

Due to the distance these species are from the Project area, the industrial setting, and the fact that no in-water work is planned, no impacts to these species are anticipated.

The ONDR’s response on March 21, 2017 also indicated a record of one (1) state endangered species within one mile of the identified Project area, the Black Bear (*Ursus*

americanus). Due to the mobility of the species, this Project is not likely to impact the Black Bear.

The ODNR's response on March 21, 2017 also identified that the location of the Project is within the range of the federal and state endangered Indiana Bat (*Myotis sodalis*).

AECOM also submitted a request to the United States Fish and Wildlife Services ("USFWS") in February 2017 to research the presence of any federally endangered, threatened, or rare species within one (1) mile of the Project area. A copy of the USFWS's Ecological review response is included as Exhibit 7. USFWS responded on February 9, 2017 and identified the federally endangered Indiana Bat (*Myotis sodalis*) and the federally threatened Northern Long-eared Bat (*Myotis septentrionalis*) as being within one mile of the Project.

ATSI will complete any necessary tree clearing between October 1 and March 31 to avoid potential bat habitat, as suggested by the ODNR and the USFWS. If clearing is needed outside of this time period, ATSI will consult with the ODNR and USFWS prior to clearing.

The USFWS's response on February 9, 2017 indicated that based on the Project type, size and location, they do not anticipate adverse effects to any other federally endangered, threatened, proposed or candidate species.

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

As part of its investigation, AECOM submitted a request to the ODNR in February 2017 to research 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 mile of the Project area. The ODNR's March 21, 2017 response, attached as Exhibit 6, indicated that they have a record

of one (1) aforementioned area within one mile of the identified project area, the Tuscarawas River State Park managed by the ODNR Division of Parks & Watercraft. Due to the distance away from the Project area, and the industrial setting, there are no impacts anticipated to the Tuscarawas River State Park.

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

Construction and operation of the proposed Project will be in accordance with the requirements specified in the latest revision of the National Electric Safety Code as adopted by the Public Utilities Commission of Ohio (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 to the following officials in Perry Township and Stark County Ohio.

Stark County

Mr. Bill Smith
Stark County Commissioner
110 Central Plaza South, Suite 240
Canton, Ohio 44702

Mr. Richard Regula
Stark County Commissioner
110 Central Plaza South, Suite 240
Canton, Ohio 44702

Ms. Janet Weir Creighton
Stark County Commissioner
110 Central Plaza South, Suite 240
Canton, Ohio 44702

Ms. Jean Young, County Clerk
Stark County Commission
110 Central Plaza South, Suite 240
Canton, Ohio 44702

Mr. Keith A. Bennett, P.E., P.S.
Stark County Engineer
5165 Southway Street S.W.
Canton, Ohio 44706

Mr. Robert Fonte, President
Stark County
Regional Planning Commission
201 3rd St NE, Suite #201
Canton, OH 44702-1211

Perry Township

Mr. Doug M. Haines, President
Perry Township Trustee
3111 Hilton Street, N.W.
Massillon, OH 44646

Mr. Ralph Dechiara
Perry Township Trustee
3111 Hilton Street, N.W.
Massillon, OH 44646

Mr. Craig Chessler, Vice President
Perry Township Trustee
3111 Hilton Street, N.W.
Massillon, OH 44646

Mr. Joe Schlegel
Perry Township Fiscal Officer
3111 Hilton Street, N.W.
Massillon, OH 44646

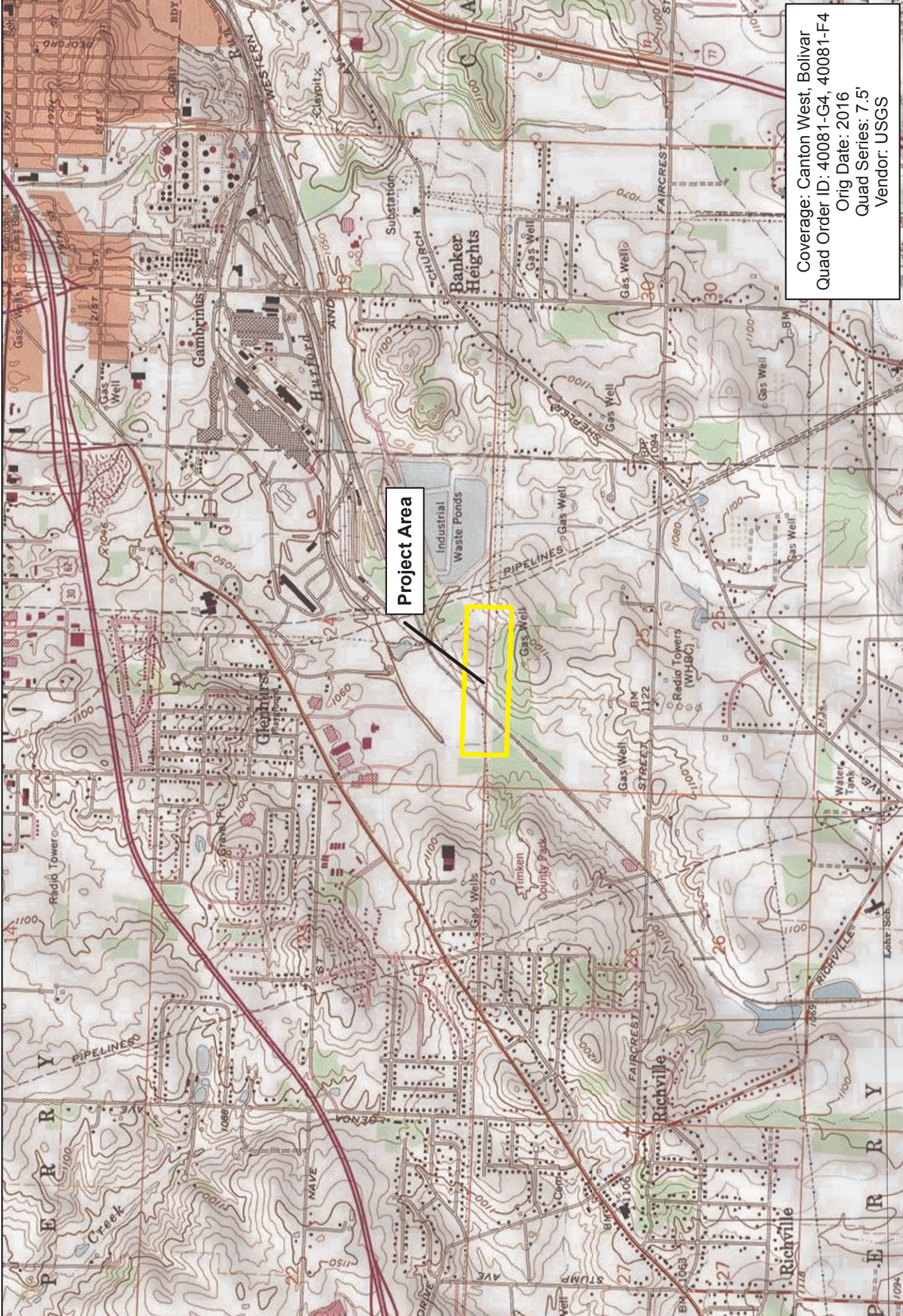
Libraries

Ms. Linda Bennett, Branch Manager
Stark County District Public Library
DeHoff Branch
216 Hartford Avenue SE
Canton, OH 44707

Ms. Kathy Clay, Branch Manager
Stark County District Public Library
Madge Youtz Branch
2921 Mahoning Road NE
Canton, OH 44705

Copies of the transmittal letters to these officials have been included with this Construction Notice application to the Board and are being provided to meet the requirement of OAC Rule 4906-6-07 (B) as proof of compliance with the notice requirement to local officials in OAC Rule 4906-6-07 (A)(1) and to libraries at OAC Rule 4906-6-07 (A)(2).

Information is posted on www.firstenergycorp.com/about/transmission_project/ohio.html on how to request an electronic or paper copy of this Construction Notice. The link to the website is being provided to meet the requirement of OAC 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).



Project Area

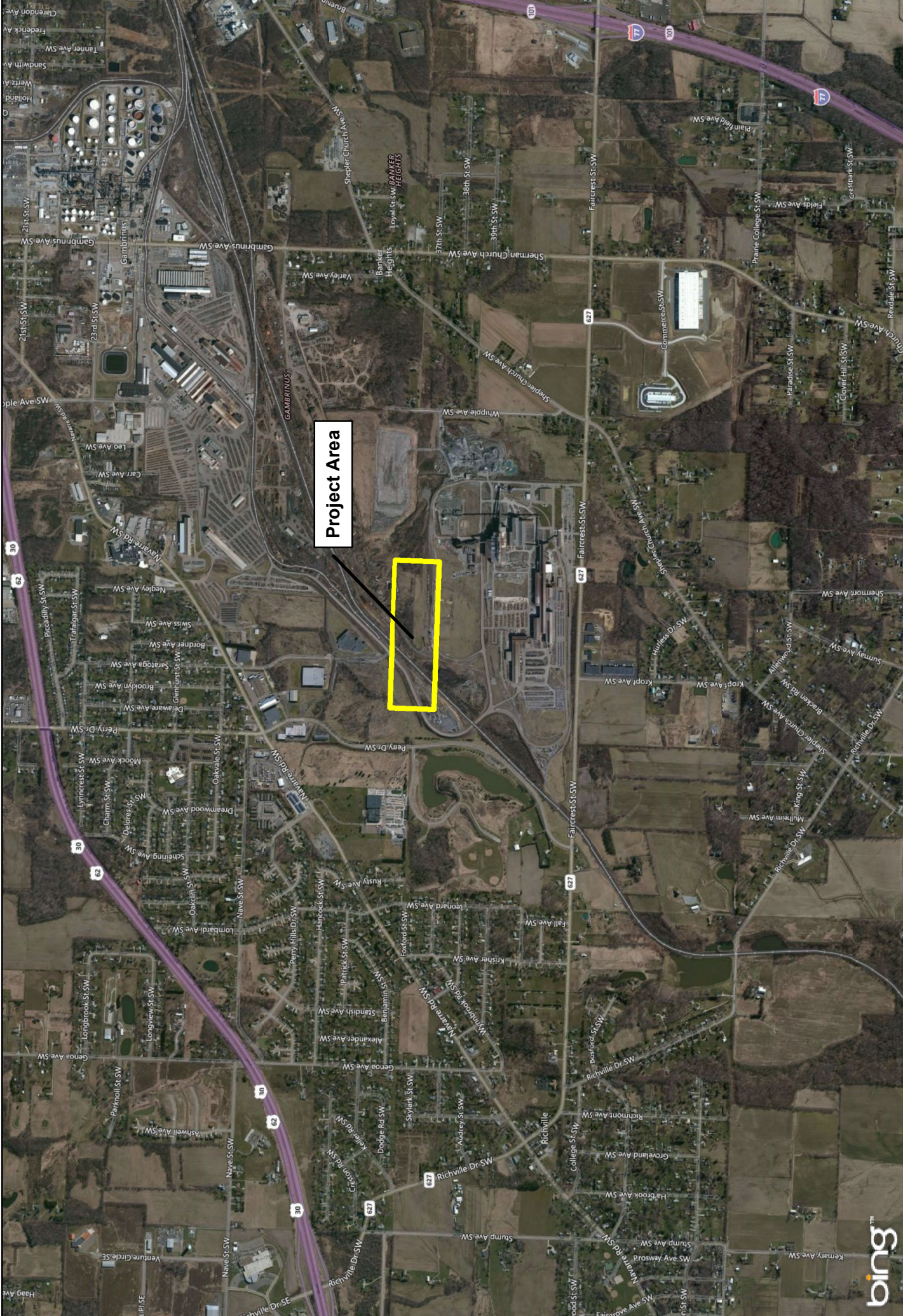
Coverage: Canton West, Bolivar
Quad Order ID: 40081-G4, 40081-F4
Orig Date: 2016
Quad Series: 7.5'
Vendor: USGS

Canton Central-Cloverdale 138kV Project Area Exhibit 1



Legend
 Project Area





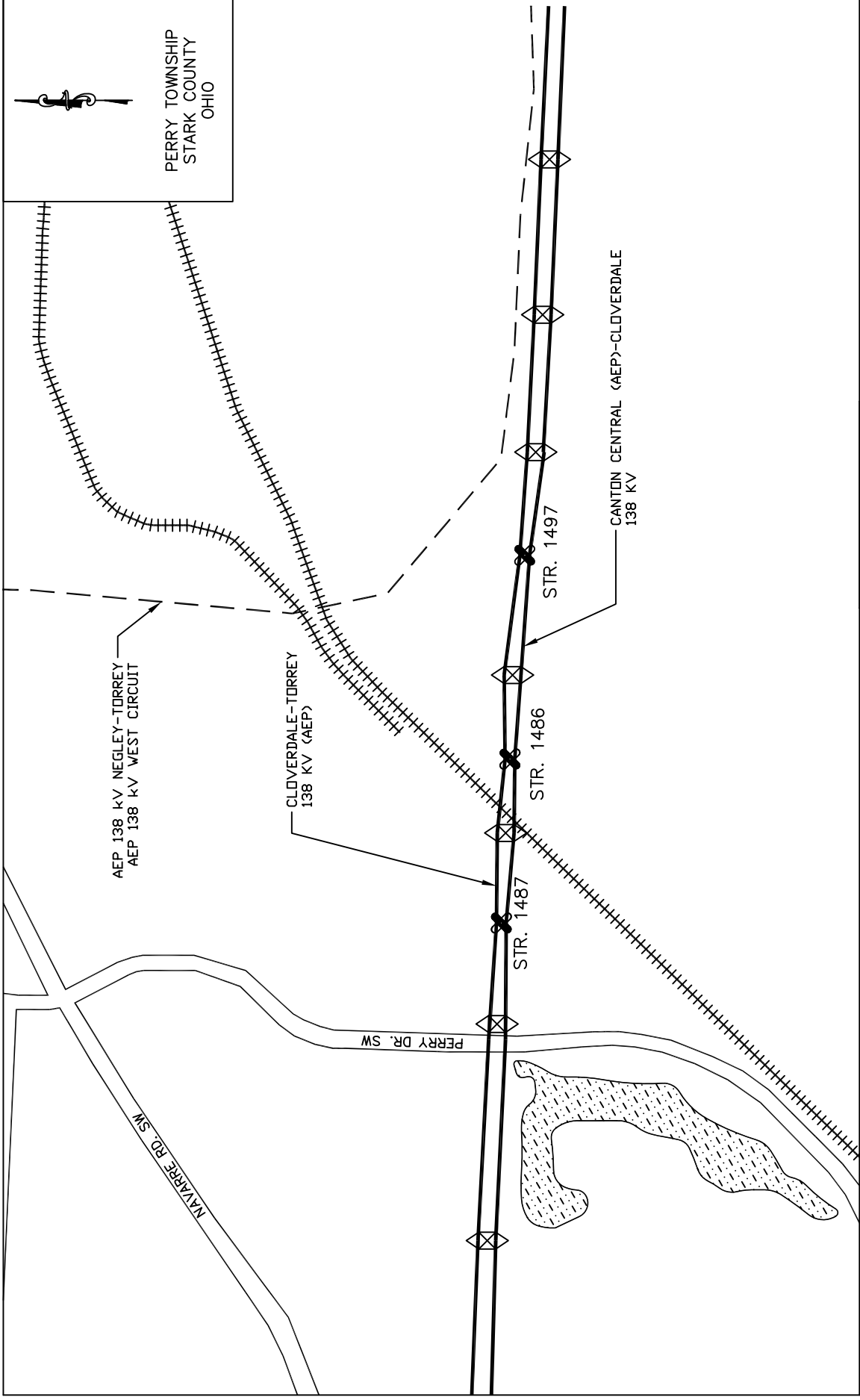
Canton Central-Cloverdale 138kV Project Area Exhibit 2



Legend

 Project Area





LEGEND

- EXISTING FE CONDUCTOR
- - - EXISTING AEP CONDUCTOR
- ◊ EXISTING STEEL LATTICE STRUCTURE
- ⊗ SINGLE POLE WOOD STRUCTURE TO BE REPLACED WITH LAMINATED STRUCTURE
- EXISTING ROADS
- +++++ RAILROAD
- ▤ EXISTING POND/LAKE

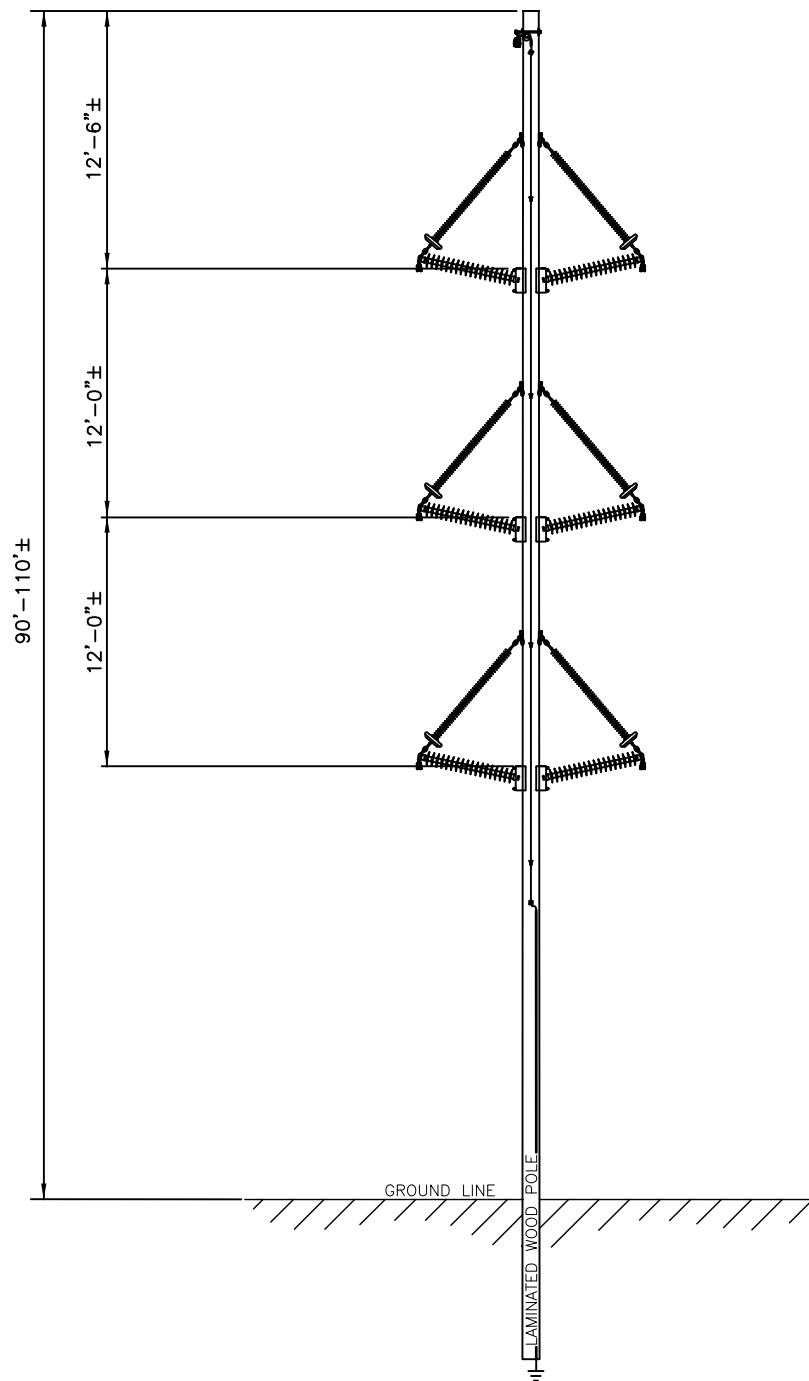


CANTON CENTRAL-CLOVERDALE 138 kV -
CLOVERDALE-TORREY 138 kV
STRUCTURE REPLACEMENT PROJECT

GENERAL LAYOUT

EXHIBIT 3

PERRY TOWNSHIP
STARK COUNTY
OHIO



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

CANTON CENTRAL (AEP)-CLOVERDALE 138 kV -
 CLOVERDALE-TORREY (AEP) 138 kV
 STRUCTURE REPLACEMENT PROJECT

138 kV DOUBLE CIRCUIT TANGENT
 LAMINATED WOOD POLE STRUCTURE

EXHIBIT 4

NOT TO SCALE

EXHIBIT 5



Legend

- NR Listings
 - Listed
 - National Historic Landmark
 - Delisted
- NR Determinations of Eligibility
 - Archaeological Sites
 - Historic Structures
 - Historic Bridges
 - Historic Tax Credit Projects
- OGS Cemeteries
 - Confident
 - Not Confident
- Dams
- UTM Zone Split
- NR Boundaries
- OAI Site Boundaries
- Phase1
- Phase2



Copyright/Disclaimer

This map is a user generated static output from an internet mapping site and is for general reference only. Data layers that are not generated by the user are not guaranteed to be current or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Datum: [Datum]
Projection: WGS_1984_Web_Mercator_Auxiliary_Sphere





Ohio Department of Natural Resources

JOHN R. KASICH, GOVERNOR

JAMES ZEHRINGER, DIRECTOR

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

March 21, 2017

Betsy Ewoldt
AECOM
525 Vine Street, Suite 1800
Cincinnati, Ohio 45202

Re: 17-122; Canton Central-Cloverdale 138 kV Overhead Electric Transmission Line

Project: The proposed project route is approximately seven miles in length and will require ATSI to replace the existing shield wire.

Location: The proposed project is located in Canton and Perry Townships, Stark 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:

Tuscarawas River State Park – ODNR Division of Parks & Watercraft

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 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: 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 to any 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.

The project is within the range of the clubshell (*Pleurobema clava*), a state endangered and federally endangered mussel, the rabbitsfoot (*Quadrula cylindrica cylindrica*), a state endangered and federal candidate mussel, and the long-solid (*Fusconaia maculata maculata*), a state endangered mussel. 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 (2016), all Group 2, 3, and 4 streams (Appendix A) require a mussel survey. Per the Ohio Mussel Survey Protocol, Group 1 streams (Appendix A) and unlisted streams with a watershed of 10 square miles or larger above the point of impact should be assessed using the Reconnaissance Survey for Unionid Mussels (Appendix B) to determine if mussels are present. Mussel surveys may be recommended for these streams as well. This is further explained within the Ohio Mussel Survey Protocol. Therefore, if in-water work is planned in any stream that meets any of the above criteria, 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. The Ohio Mussel Survey Protocol (2016) can be found at:

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

The project is within the range of the Iowa darter (*Etheostoma exile*), a state endangered fish. The DOW recommends no in-water work in 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 a perennial stream, this project is not likely to impact this or other aquatic 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 type of habitat present along the project route 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, 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 U.S. Fish & Wildlife Service.

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

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.

<http://water.ohiodnr.gov/water-use-planning/floodplain-management#PUB>

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

Thomayer, Matt

From: susan_zimmermann@fws.gov on behalf of Ohio, FW3 <ohio@fws.gov>
Sent: Thursday, February 09, 2017 1:39 PM
To: Ewoldt, Betsy; Thomayer, Matt
Cc: nathan.reardon@dnr.state.oh.us; kate.parsons@dnr.state.oh.us
Subject: Canton Central-Cloverdale 138 kV Transmission Line Project, Stark Co.



UNITED STATES DEPARTMENT OF THE INTERIOR
 U.S. Fish and Wildlife Service
 Ecological Services Office
 4625 Morse Road, Suite 104
 Columbus, Ohio 43230
 (614) 416-8993 / Fax (614) 416-8994



TAILS# 03E15000-2017-TA-0737

Dear Ms. Ewoldt,

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,

A handwritten signature in blue ink, appearing to read "Dan Everson", with a stylized, cursive script.

Dan Everson

Ohio Field Office Supervisor

cc: Nathan Reardon, ODNR-DOW

Kate Parsons, ODNR-DOW