

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

CONSTRUCTION NOTICE

**LONGVIEW-NOTTINGHAM 138 kV TRANSMISSION
LINE STRUCTURE REPLACEMENT PROEJCT**

OPSB CASE NO.: 17-1997-EL-BNR

September 27, 2017

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

CONSTRUCTION NOTICE
LONGVIEW-NOTTINGHAM 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

Name of Project: Longview-Nottingham 138 kV Transmission Line Structure Replacement Project (“Project”).

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 #4618 on the Longview-Nottingham 138 kV Transmission Line with a new structure approximately 15 feet taller. The new structure will be a Single Circuit Wood Tangent H-Frame Structure. The structure will be replaced at approximately the same location as the existing structure. The taller structure is required to meet clearance requirements where the line crosses the Jerome (Brookside) 69 kV Transmission Line.

The general location of the Project is shown in Exhibit 1, a partial copy of the United States Geologic Survey, Ashland County OH, Quad Map, ID number 40082-G2. Exhibit 2 is a partial copy of aerial imagery, Digital Orthophoto Quarter Quads (“DOQQ”) The Project is located at near 1729 State Route 89, Jeromesville, OH 44840. The general layout is shown in Exhibit 3. The Project will be located in Mohican Township, Ashland County Ohio.

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 (2)(a) as it involves replacing one (1) structure with a taller structure.

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

The existing structure is being replaced to meet clearance requirements where the Longview-Nottingham 138 kV Transmission Line crosses the Jerome (Brookside) 69 kV Transmission Line. The Jerome (Brookside) 69 kV Transmission Line was rebuilt in 2014. During the analysis of the as-built transmission line in 2016 it was determined that the span between structures 215-82DE-18 & 216-82DE-22 needed to be raised to comply with NESC clearance requirements. Therefore, Structure 4618 which is located adjacent to the Jerome (Brookside) 69 kV Transmission Line needs to be raised by approximately 15 feet to meet interline clearance requirements. The installation of this taller structure will increase the safe operation and reliability of the Longview-Nottingham 138 kV Transmission Line.

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 Longview-Nottingham 138 kV Transmission Line. The Project Area is located approximately 7 ⁴/₁₀ inches (11" x 17" printed version) from the left edge of the map and 4 ⁹/₁₀ 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 this Project, no alternates were identified that had fewer impacts.

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 20, 2017 and completed by November 3, 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, Ashland County OH, quadrangle map (Quad Order ID 40082-G2). Exhibit 2 provides a partial copy of aerial imagery, DOQQ of the project area.

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

Parcel Number	Property Owner	Property Address	Easement Status
H23-005-0-0015-00	Stanley L. Sellers	1729 State Route 89 R D1, Jeromesville, OH 44840	Easement Obtained

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: 605 kcmil 24/7 ACSR
- Static Wire: 134.6 kcmil 12/7 ACSR
- Insulators: Polymer
- ROW Width: 100 feet
- Structure Types: Exhibit 4: Single Circuit Wood Tangent H-Frame. One (1) structure is needed.

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

The closest occupied residence or institution is approximately 920 feet from the proposed transmission line centerline, therefore no Electric and Magnetic Field (“EMF”) calculations are required by this code provision.

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

The estimated capital cost for the proposed Project is approximately \$77,712.

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

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

The Project is located in Mohican Township, Ashland County Ohio. The main land use around the Project is agricultural.

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

Agricultural land does exist within the Project’s disturbance area. The land is mixed agricultural use consisting of cultivated crops and hay/pasture. The land is not registered as an agricultural district. A list of all agricultural land and acreage including agricultural district land is given in Table 2.

Table 2: Agricultural Lands within the Project’s Disturbance Area

Parcel Number	Property Owner	Acreage	Agricultural District	Agricultural District Expiration
H23-005-0-0015-00	Stanley L. Sellers	115	No	N/A

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

As part of the investigation, a search of Ohio Historic Preservation Office (“OHPO”) online database was conducted to identify the existence of any significant archeological or cultural resource sites within 0.5 miles of the Project Area. 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 6.

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 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. Six (6) OAI listed archeological resources have been previously inventoried within 0.5 miles of the Project area and are shown in Table 3. Seven (7) OHI listed structural resources are located within 0.5 miles of the Project area and are shown in Table 4. Two (2) previous cultural resource surveys were conducted within 0.5 miles of the Project area and are provided in Table 5. Neither previous cultural resource surveys encompassed the Project area. One (1) of the previous cultural resource surveys is not digitized in the database and therefore not shown on Exhibit 5. One (1) OSG cemetery is located within 0.5 miles of the Project area and is provided in Table 6.

Table 3. List of OAI Listed Archeological Resources

OAI Number	Affiliation	Description	County	Quad Name
AS0390	Prehistoric	Early Archaic	Ashland	Jeromesville
AS0506	Prehistoric and Historic	Late Archaic/ Early Woodland/Non-Aboriginal Historic	Ashland	Jeromesville
AS0507	Prehistoric	Unknown Prehistoric	Ashland	Jeromesville
AS0508	Prehistoric	Early Archaic	Ashland	Jeromesville
AS0512	Prehistoric	Unknown Prehistoric	Ashland	Jeromesville
AS0528	Prehistoric	Unknown Prehistoric	Ashland	Jeromesville

Table 4. List of OHI Listed Structural Resources

OHI Number	Present Name	Historic Use	County	Municipality
ASD0013416	N/A	Single Dwelling	Ashland	Jeromesville
ASD0013516	Trinity United Lutheran Church	Church/Religious Structure	Ashland	Jeromesville
ASD0043616	Methodist Church	Church/Religious Structure	Ashland	Jeromesville
ASD0043816	RC Fickes House	Single Dwelling	Ashland	Jeromesville
ASD0043916	Christian Church	Church/Religious Structure	Ashland	Jeromesville
ASD0044016	Fickes Furniture Store	School	Ashland	Jeromesville
ASD0044116	Fickes Funeral Home	Single Dwelling	Ashland	Jeromesville

Table 5. List of Previous Cultural & Historic Resource Survey

Year	Name	County	Municipality
2003	Phase I Cultural Resources Survey of 6.89 Acres of Land for the Proposed Wastewater Treatment and Collections Facility in the Village of Jeromesville, Mohican Township, Ashland County, Ohio	Ashland	Jeromesville
2015	Phase I Archeological Survey for the Proposed Rover Pipeline Project	Ashland	Perry Township, & Mohican Township

Table 6. List of OGS cemeteries

OGS ID	Name	County	Location
287	Methodist	Ashland	At northeast edge of Jeromesville. East side of SR 89. On north side of CR 1675

Based upon the results of the OHPO online database the closest OAI resource (AS0507) resides approximately 0.05 miles west of the Project area and was identified during the

2015 Phase I Archeological Survey for the Proposed Rover Pipeline Project. This resource was not considered eligible for inclusion on the National Register of Historic Places according to its Ohio Archaeological Inventory Form. The form further states that the low density of artifacts and absence of evidence of any concentration areas or subsurface features demonstrated a lack of significant research potential. Additionally, it notes that the initial discovery was delineated with eight additional shovel tests, and no other artifacts were recovered.

Access to the structure will be attained via the existing right-of-way between the tower and US-89 to the east. Resource AS0507 is located outside the area of direct effect; therefore, the proposed undertaking will have no direct effect to the resource. Additionally, no impacts to additional archeological resources are expected due to low density of artifacts cataloged previously.

Based upon the results of the OHPO online database the closest OHI resource is the Fickes Funeral Home (ASD004116) located approximately 0.40 miles to the south of the Project area. The Project area is not visible from the Fickes Funeral Home due to the trees and structures in the viewshed along with the overall distance between the two locations. The additional OHI resources identified reside in the general vicinity of the Fickes Funeral Home. Therefore, the proposed undertaking will have no adverse visual effect to any of the identified OHI resources.

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

Table 7 shows the list of government agency requirements and the filing status at the time of filing.

Table 7. List of Government Agency Requirements to be Secured Prior to Construction

Agency	Permit Requirement	Status
Ohio Department of Transportation	MR-505 Temporary Construction Access Permit	Filed on September 14, 2017

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

Burns & McDonnell, which was contracted by ATSI, submitted a request to the Ohio Department of Natural Resources (“ODNR”) Office of Real Estate to conduct an Environmental Review on August 14, 2017. The ODNR’s Office of Real Estate’s comments are not available at the time of the filing. Therefore, an online search of the ODNR’s State Listed Species for Ashland & Holmes County was completed. The results of this search indicated that the ODNR has historic records within Ashland & Holmes County

Burns & McDonnell, which was contracted by ATSI, also submitted a request to the US Fish and Wildlife Service (“USFWS”) for an Ecological Review on August 14, 2017, 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 6. The USFWS’s response on August 21, 2017 indicated that the Project Area 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 8.

Table 8. List of Endangered, Threatened, and Rare Species.

Table 8: List of Endangered, Threatened, and Rare Species				
Common Name	Scientific Name	Federal Listed Status	State Listed Status	Affected Habitat
Indiana Bat	<i>Myotis sodalist</i>	Endangered	Endangered	Trees & Forest
Northern Long-Ear Bat	<i>Myotis septentrionalis</i>	Threatened	Threatened	Trees & Forest
Mountain-fringe	<i>Adlumia fungosa</i>	N/A	Threatened	Openings and clearings
Upland Sandpiper	<i>Bartramia longicauda</i>	N/A	Endangered	grasslands, pastures, and fallow fields
American Bittern	<i>Botaurus lentiginosus</i>	N/A	Endangered	Large undisturbed wetlands

Table 8: List of Endangered, Threatened, and Rare Species				
Common Name	Scientific Name	Federal Listed Status	State Listed Status	Affected Habitat
Little Prickly Sedge	<i>Carex echinate</i>	N/A	Endangered	Open sphagnum mat in bogs
Speckled Wood-lily	<i>Clintonia umbellulata</i>	N/A	Threatened	Mature, mesic woods
Sweet-fern	<i>Comptonia peregrine</i>	N/A	Threatened	Dry, sterile, often sandy soil of open areas
Rock-harlequin	<i>Corydalis sempervirens</i>	N/A	Threatened	Well-drained openings and clearings; often on sandstone exposures; usually found on slightly acidic substrates.
Eastern Hellbender	<i>Cryptobranchus alleganiensis</i>	Special Concern	Endangered	Medium to large, rocky streams
Bearded Wheat Grass	<i>Elymus trachycaulus</i>	N/A	Threatened	Wide variety of habitats
Lake Chubsucker	<i>Erimyzon sucetta</i>	N/A	Threatened	Lakes, other waters
Iowa Darter	<i>Etheostoma exile</i>	N/A	Endangered	Streams, other waters
Green-faced Clubtail	<i>Gomphus viridifrons</i>	N/A	Threatened	Forested streams
Thyme-leaved Pinweed	<i>Lechea minor</i>	N/A	Threatened	Open, dry, sandy woods, clearings, roadside banks
American Water-milfoil	<i>Myriophyllum sibiricum</i>	N/A	Endangered	Ponds, lakes, and quiet streams
Lurking Leskea	<i>Plagiothecium latebricola</i>	N/A	Threatened	Northern hardwood lowland swamps
Prairie Fringed Orchid	<i>Platanthera leucophaea</i>	Threatened	Threatened	Mesic prairies to wetlands
Clubshell	<i>Pleurobema clava</i>	Endangered	Endangered	Medium to small rivers and streams
Leafy Goldenrod	<i>Solidago squarrosa</i>	N/A	Threatened	Rocky upland woods, thickets, and clearings
Barn Owl	<i>Tyto alba</i>	N/A	Threatened	Man-made structures, hollow trees

This pole replacement is potentially within the range of the following State-listed and State-threatened species: Mountain-fringe (*Adlumia fungosa*), Upland Sandpiper (*Bartramia longicauda*), American Bittern (*Botaurus lentiginosus*), Little Prickly Sedge (*Carex echinate*), Speckled Wood-lily (*Clintonia umbellulata*), Sweet-fern (*Comptonia peregrine*), Rock-harlequin (*Corydalis sempervirens*), Eastern Hellbender (*Cryptobranchus alleganiensis*), Bearded Wheat Grass (*Elymus trachycaulus*), Lake Chubsucker (*Erimyzon sucetta*), Iowa Darter (*Etheostoma exile*), Green-face Clubtail (*Gomphus viridifrons*), Thyme-leaved Pinweed (*Lechea minor*), Northern long-eared bat (*Myotis septentrionalis*), Indiana Bat (*Myotis sodalis*), American water-milfoil (*Myriophyllum sibiricum*), Lurking Leskea (*Plagiothecium latebricola*), Prairie Fringed Orchid (*Platanthera leucophaea*), Clubshell (*Pleurobema clava*), Leafy Goldenrod (*Solidago squarrosa*), and Barn Owl (*Tyto alba*). The Prairie Fringed Orchid and Clubshell are also listed by the USFWS as threatened and endangered, respectively. No impacts to these species are anticipated due to the very limited scope of this Project. No work is proposed in streams, wetlands, or forested areas

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

Burns & McDonnell, which was contracted by ATSI, has previously conducted a wetland and stream assessment of the Project Area. No wetlands or streams were identified within the Project Area.

Access to Structure #4618 will be from the east at State Route 89. The length of the access road will be approximately 40 feet. This access road will utilize construction matting.

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 National Electric Safety Code 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 Letter of Notification Transmittal and Availability for Public Review

This Construction Notice is being provided concurrently with its docketing with the Board to the following officials in Mohican Township, Ashland County, Ohio.

Ashland County

Commissioner Mike Welch,
President
Ashland County Commissioners
110 Cottage Street
Ashland, OH 44805

Commissioner Denny Bittle,
Vice President
Ashland County Commissioners
110 Cottage Street
Ashland, OH 44805

Commissioner Jim Justice
Ashland County Commissioners
110 Cottage Street
Ashland, OH 44805

Mr. Edward J. Meixer, P.E., P.S.
Ashland County Engineer
1511 Cleveland Ave.
Ashland, OH 44805

Ms. Rebecca Owens, President
Ashland County Planning
1763 State Route 60
Ashland, OH 44805

Mr. Dave Shoup, Vice Chairman
Ashland County Planning
1763 State Route 60
Ashland, OH 44805

Ms. Karen Welch, Chairman
Ashland County
Soil & Water Conservation District
1763 State Route 60
Ashland, OH 44805

Mr. Martin Michel, Vice Chairman
Ashland County
Soil & Water Conservation Dist.
1763 State Route 60
Ashland, OH 44805

Mohican Township

Mr. Bryan K. Raudebaugh
Mohican Township Trustee
2008 State Route 89
Jeromesville, OH 44840

Mr. Edward M. White
Mohican Township Trustee
2008 State Route 89
Jeromesville, OH 44840

Mr. Michael D. Weber
Mohican Township Trustee
2008 State Route 89
Jeromesville, OH 44840

Ms. Jody A. Bartter
Mohican Township Fiscal Officer
2008 State Route 89
Jeromesville, OH 44840

Library

Ms. Heather Jensen, Director
Ashland Public Library
224 Claremont Ave
Ashland, OH 44805

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 1

Project Area

Jeromesville

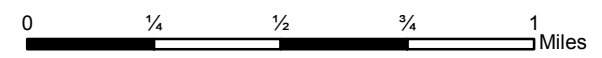
Jeromesville
(BM 10121)

Orig Date: 11-22-2016
Quad Series: 7.5'
Quad Order ID: 40082-G2
Coverage: Jeromesville
Vendor: USGS

Legend
Project Area



**Longview-Nottingham 138 kV Transmission
Line Structure Replacement Project**



Map Created On: 9/15/2017

Exhibit 2



Project Area

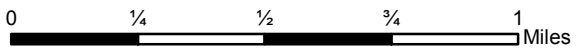
Jeromesville

Jeromesville

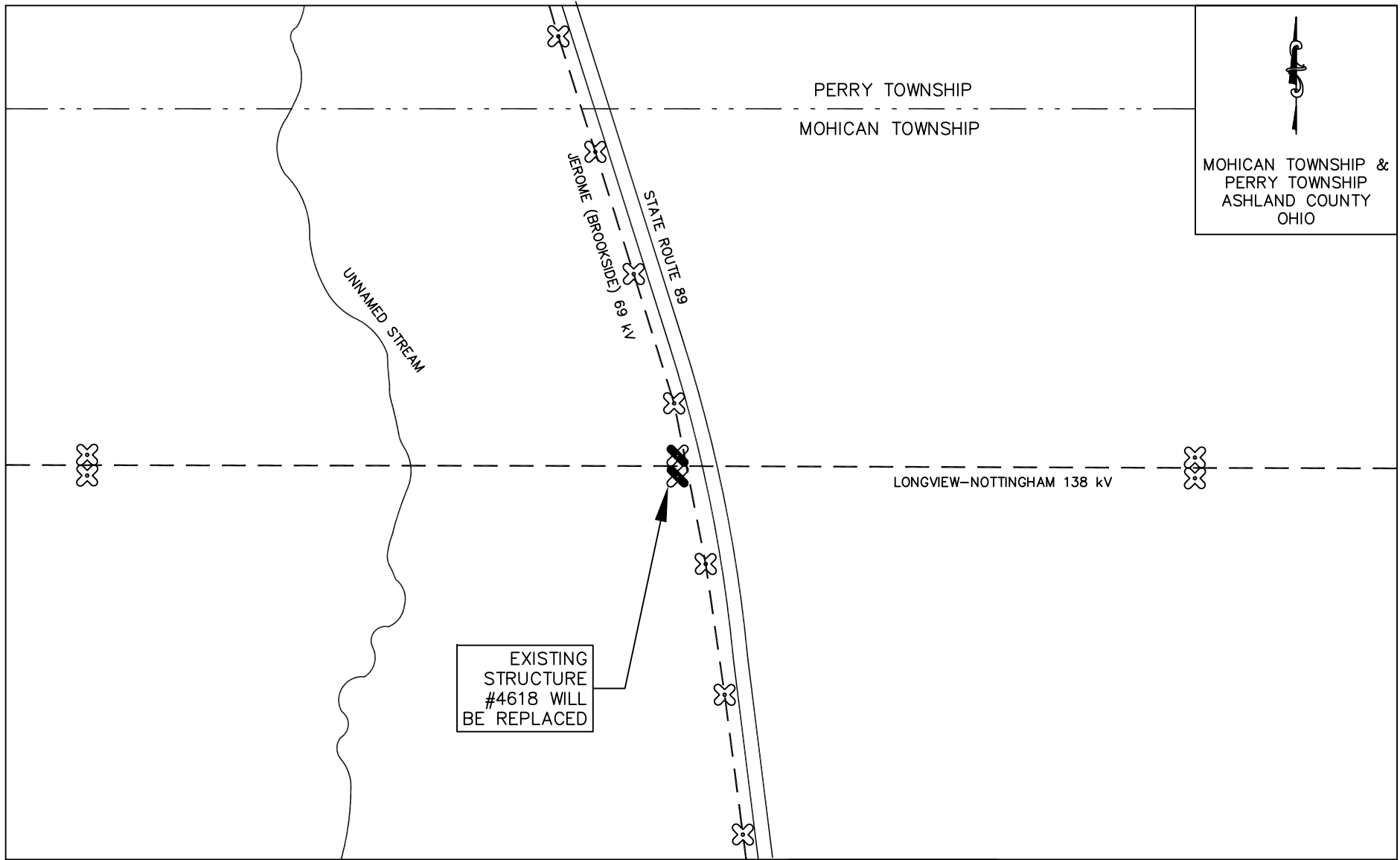
Legend
Project Area




**Longview-Nottingham 138 kV Transmission
Line Structure Replacement Project**



Map Created On: 9/19/2017




 MOHICAN TOWNSHIP &
 PERRY TOWNSHIP
 ASHLAND COUNTY
 OHIO

LEGEND

- | | |
|---|---|
| <p>— — — — — EXISTING CONDUCTOR</p> <p>— - - - - MUNICIPAL BOUNDARY</p> | <p> EXISTING 2-POLE WOOD STRUCTURE</p> <p> EXISTING 2-POLE WOOD STRUCTURE TO BE REPLACED</p> <p> EXISTING SINGLE POLE WOOD STRUCTURE</p> |
|---|---|

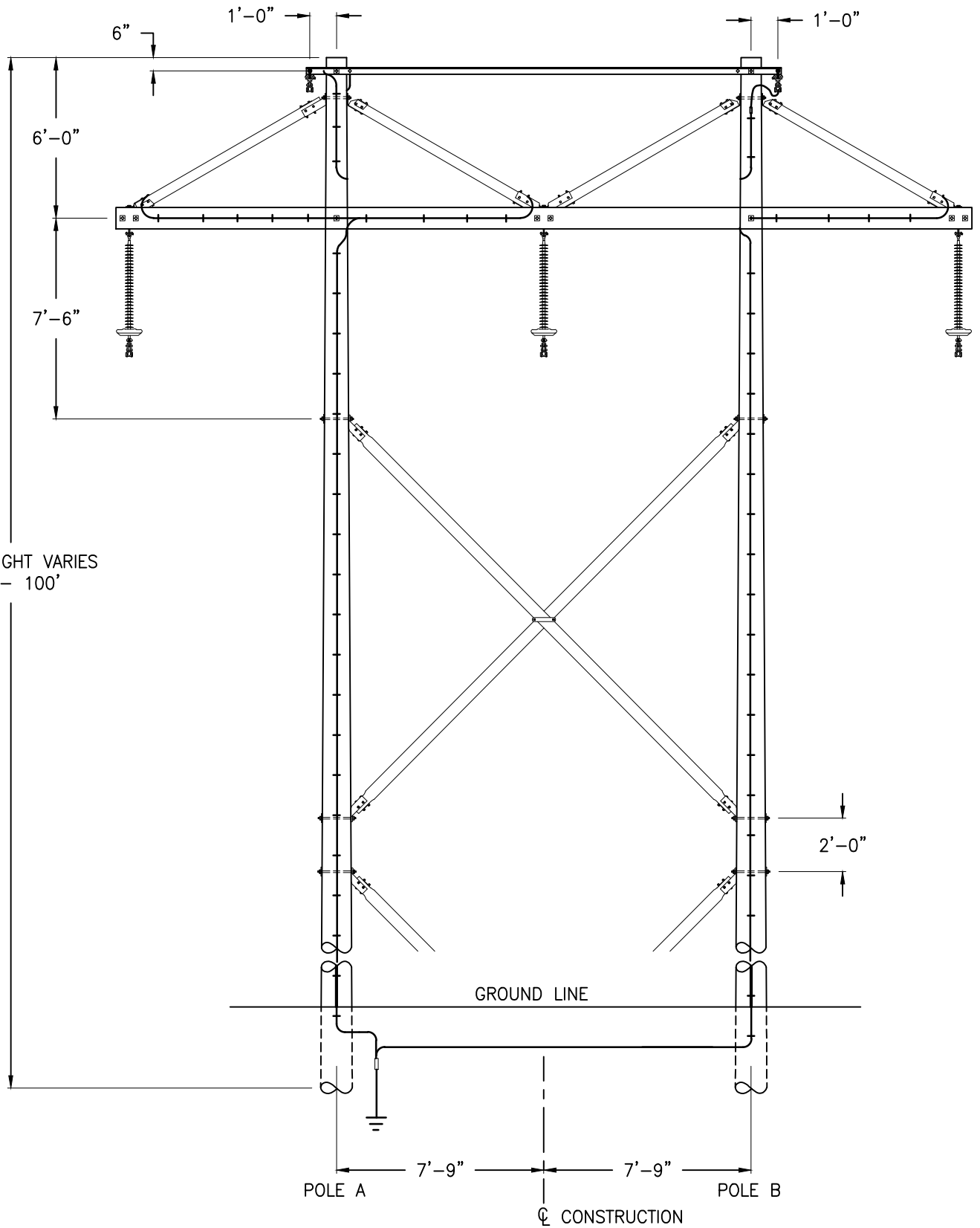


LONGVIEW-NOTTINGHAM 138 kV
 TRANSMISSION LINE STRUCTURE
 REPLACEMENT PROJECT

GENERAL LAYOUT

EXHIBIT 3

POLE HEIGHT VARIES
80' - 100'



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

LONGVIEW-NOTTINGHAM 138kV
TRANSMISSION LINE
STRUCTURE REPLACEMENT PROJECT

**NOT TO SCALE

SINGLE CIRCUIT WOOD TANGENT H-FRAME

EXHIBIT 4

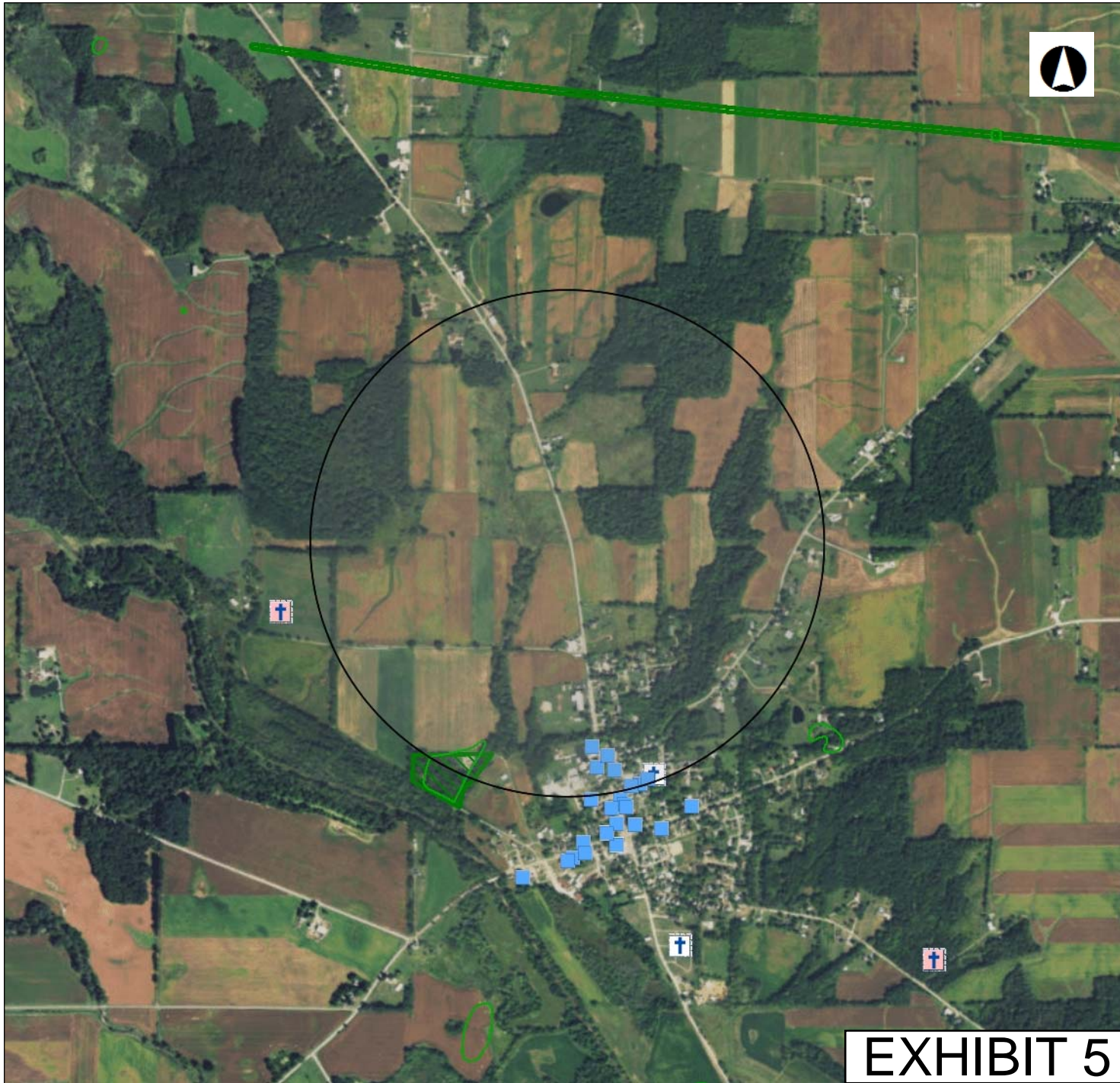
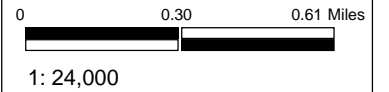


EXHIBIT 5

Legend

- NR Listings
 - Listed
 - National Historic Landmark
 - ✘ Delisted
- ◆ NR Determinations of Eligibility
- Historic Structures
- Historic Bridges
- Historic Tax Credit Projects
- OGS Cemeteries
 - † Confident
 - † Not Confident
- Dams
- UTM Zone Split
- NR Boundaries
- OAI Site Boundaries
- Phase1
- Phase2
- Phase3



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Datum: [Datum]
 Projection: WGS_1984_Web_Mercator_Auxiliary_Sphere



Tucker, Jason

From: susan_zimmermann@fws.gov on behalf of Ohio, FW3 <ohio@fws.gov>
Sent: Monday, August 21, 2017 1:34 PM
To: Tucker, Jason; Smith, Michelle (Cincinnati)
Cc: kate.parsons@dnr.state.oh.us; nathan.reardon@dnr.state.oh.us
Subject: Jerome-Brookside 69 kV Transmission Line Rework, Ashland and Holmes Co.

Follow Up Flag: Flag for follow up
Flag Status: Flagged



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-1754

Dear Mr. Tucker,

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.

EXHIBIT 6

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.

EXHIBIT 6

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 that reads "Dan Everson". The signature is written in a cursive style with a large, sweeping initial "D".

Dan Everson

Field Supervisor

cc: Nathan Reardon, ODNR-DOW

Kate Parson, ODNR-DOW