

November 9, 2018

Ms. Barcy McNeal  
Docketing Division  
Public Utilities Commission of Ohio  
180 East Broad Street, 11<sup>th</sup> Floor  
Columbus, OH 43215-3716

Re: In the Matter of the Application of Duke Energy Ohio, Inc. for a Construction Notice for  
Station 854 Natural Gas Regulator Station Installation Project  
PUCO Case No. 18-1455-GA-BNR

Dear Ms. McNeal:

As indicated in the correspondence filed on November 5, 2018, Duke Energy Ohio requested to suspend the automatic approval of the application for the above-referenced project. It also stated that additional information would be provided. Now, Duke Energy Ohio is filing a clean copy of its Application.

Please see below for the additions which have been made, as well as the corresponding page numbers where to find this information:

1. Addition to the “Brief Project Description paragraph (**pg. 1**): The existing natural gas pipeline within the Winton Road ROW serves as the inlet to both the proposed regulator station and natural gas pipeline. The proposed 20" natural gas pipeline serves as the distribution pipeline to the existing outlet regulator station located north of the intersection of Winton Road and West North Bend Road.
2. Addition to the “Statement of Need ...” paragraph (**pg. 2**): The proposed pipeline and regulator station are needed to provide pressure reduction from the existing natural gas pipeline located within the Winton Road ROW [high pressure inlet (175 psi)] to the existing natural gas pipeline located north of West Bend Road [high pressure outlet (125 psi)].
3. Addition to the operating characteristics for the pipeline sub-section (**pg. 4**): The existing natural gas pipeline within the Winton Road ROW serves as the high pressure inlet to approximately 380' of 20" steel pipeline (MAOP= 175 psi) to serve the proposed regulator station and natural gas pipeline (1211' of 20" steel, MAOP= 35psi). The proposed 20" natural gas pipeline serves as the distribution pipeline to the high pressure outlet (310' of 20" steel, MAOP = 125psi) at the northern extent of the proposed pipeline.



155 East Broad Street  
20<sup>th</sup> Floor  
Columbus, Ohio, 43215

o: 614-222-1334  
f: 614-222-1337

4. Maps: The existing natural gas lines serving as the inlet and outlet to the proposed regulator station and proposed pipeline have been included with accompanying callouts.

Please let us know if you have any questions.

Respectfully,

/s/ Jeanne W. Kingery

Jeanne W. Kingery

Associate General Counsel

**CONSTRUCTION NOTIFICATION FOR THE  
STATION 854 NATURAL GAS REGULATOR STATION INSTALLATION  
PROJECT**

**PUCO Case Number 18-1455-GA-BNR**

**Submitted pursuant to O.A.C. 4906-6**

**Duke Energy Ohio, Inc.**

**November 2018**



**CASE NO. 18-1455-GA-BNR**  
**STATION 854 NATURAL GAS REGULATOR STATION INSTALLATION**  
**SPRINGFIELD TOWNSHIP & CINCINNATI, HAMILTON COUNTY,**  
**OHIO**

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**SPRINGFIELD TOWNSHIP & CINCINNATI, HAMILTON COUNTY,**  
**OHIO**

This Construction Notification (CN) has been prepared by Duke Energy Ohio, Inc. (Duke Energy Company) in accordance with the procedures set forth in Ohio Administrative Code (O.A.C.) Chapter 4906-6 Accelerated Certificate Application Requirements of the Rules and Regulations of the Ohio Power Siting Board (OPSB or Board).

**4906-6-05 APPLICATION REQUIREMENTS**

**4906-06-05(B)(1)(a): Name of the Project and Applicant's Reference Number**

Duke Energy Ohio is proposing to construct a natural gas regulator station and pipeline extension identified as 'Station 854 Natural Gas Regulator Station Installation Project' in Cincinnati, Hamilton County, Ohio. The internal project reference number is 36968945.

**4906-06-05(B)(1)(b): Brief Description of the Project**

Duke Energy proposes to install approximately 1,500 feet (0.28 miles) of natural gas distribution pipeline within Hamilton County, Ohio. The subject pipeline will be installed within the existing Hamilton County public Right-of-Way (ROW) initiating at the intersection of Winton Road and West North Bend Road and terminating at the approximately 1.3 acre proposed construction laydown yard (39.199, -84.522) located approximately 6.5 miles north of Cincinnati. Following pipeline construction, a new regulator station will be developed on the approximately 1.3 acre laydown yard. Entrance and exit to the laydown yard will be established via concrete apron and gravel access road directly from Winton Road. The existing natural gas pipeline within the Winton Road ROW serves as the inlet to both the proposed regulator station and natural gas pipeline. The proposed 20" natural gas pipeline serves as the distribution pipeline to the existing outlet regulator station located north of the intersection of Winton Road and West North Bend Road. Additional temporary workspace will be utilized adjacent to the road ROW.

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**4906-06-05(B)(1)(c): Why the Project Meets the Requirements for a Construction Notification**

The project qualifies as a Construction Notification filing because it meets the criteria of O.A.C. Rule 4906-1-01, Appendix B, which provides for (1) new construction, extension, relocation, upgrade, or replacement (except with a like facility) of gas pipelines or pipeline segments (a) not greater than 1 mile in length.

**4906-06-05(B)(2): Statement of Need for the Proposed Facility**

Duke Energy currently transports natural gas via existing distribution pipelines throughout Hamilton County as part of the distribution pipeline system that ultimately supplies end-use customers. This installation is being proposed for integrity, safety, and compliance purposes. Regulator stations protect and ensure safe pipeline operation by reducing pressure as gas flows further into the system. The new regulator station will increase pipeline safety and integrity by ensuring that downstream piping cannot be over-pressured, while continuing to provide reliable service to end-use customers. The proposed pipeline and regulator station are needed to provide pressure reduction from the existing natural gas pipeline located within the Winton Road ROW [high pressure inlet (175 psi)] to the existing natural gas pipeline located north of West Bend Road [high pressure outlet (125 psi)].

**4906-06-05(B)(3): Location of the Project**

The location of this project is illustrated on the Figures given in Attachment 1. Figure 1 shows the general project vicinity illustrated on the U.S. Geological Survey (USGS) National Map. Figure 2 illustrates the proposed pipeline route and associated regulator station property limits on an aerial base map.

**4906-06-05(B)(4): Alternatives Considered**

As stated in Section 4906-06-05(B)(1)(b), above, Duke Energy proposes to install approximately 1,500 feet (0.28 miles) of new 20-inch natural gas pipeline within the

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public road ROW on the west side of Winton Road. Another alternative proposed construction within ROW on the east side of Winton road. However, field surveys indicated stormwater management systems and one wetland in the project work space on the east side of Winton Road. The west side of Winton road was selected to avoid these features. The construction laydown yard for the pipeline project is planned to be located on the approximately 1.3 acre footprint that will become the new regulator station once the pipeline is installed.

**4906-06-05(B)(5): Description of Public Information Program**

Duke Energy has sent a letter to property owners and tenants listed in Attachment 2, and displayed on Figure 3 of Attachment 1, informing them of the nature of the project, the proposed timeframe of the project construction, and restoration activities. Phone calls and individual face-to-face meetings are also planned following the letter notification to discuss the disturbance each landowner will encounter during construction. Notification and coordination with landowners affected by the proposed project has been completed.

**4906-06-05(B)(6): Anticipated Construction Schedule and Proposed In-Service Date**

Construction of the subject pipeline and regulator station is anticipated to begin on November 1, 2018. Duke Energy plans to place the pipeline in-service by May 2019.

**4906-06-05(B)(7): Project Area Map with Aerial Image**

Project area maps with an aerial image at 1:2,400 scale, showing roads and major watercourses, are included in Attachment 1, Figure 2.

**4906-06-05(B)(8): Property Owner List**

A list of the affected properties for which Duke Energy Ohio has obtained easements, options, and/or land use agreements is provided in Attachment 2. Easements, options, and/or land use agreements have been obtained from all affected property owners. The alignment of the pipeline installation is to be within previously established road ROW

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except where the pipeline turns west into the proposed new regulator station at the southern end of the route. Adjacent landowner information is also provided in Attachment 1, Figure 3 and Attachment 2.

**4906-06-05(B)(9): Technical Features**

**4906-06-05(B)(9)(a): Operating Characteristics, Required Structures, and Right-of-Way and/or Land Requirements**

- The following information summarizes the operating characteristics and construction specifications for the proposed pipeline and associated regulator station:
- **Operating Characteristics:**
  - **Required Structures:**
    - **Regulator Station:** One (1) above ground regulator station located on approximately 1.3-acre parcel. The laydown yard that is to be cleared and established during pipeline construction will be used for the location of the proposed regulator station accompanying this project.
    - **Pipeline:** Approximately 1,500 linear feet of new 20-inch pipeline routed from new regulator station to the intersection of Winton Road and West North Bend Road, which will be tied into the existing Duke Energy natural gas pipeline located along West North Bend Road. The existing natural gas pipeline within the Winton Road ROW serves as the high pressure inlet to approximately 380' of 20" steel pipeline (MAOP= 175 psi) to serve the proposed regulator station and natural gas pipeline (1211' of 20" steel, MAOP= 35psi). The proposed 20" natural gas pipeline serves as the distribution pipeline to the high pressure outlet (310' of 20" steel, MAOP = 125psi) at the northern extent of the proposed pipeline.

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- **Pipe Material:** The project is a 20-inch diameter steel pipeline. The new pipeline will also include (3) three buried, 20-inch diameter, ANSI 300, mainline valves. The mainline valves will be located at the proposed regulator station adjacent to Winton Road. The station valves will be accessed by valve handwheels that are above ground level. The station will contain ANSI 300 skids with valves, strainers, and control valves. The skids will be above ground.
- **Normal Operating Pressure:** Below the MAOP of 175 psig.
- **Pipe Wall Thickness and Yield Strength:** 0.375-inch thickness with a yield strength of 65,000 psi.
- **Coating Type:** The pipeline will be externally coated with 14-16 Mils of Fusion Bonded Epoxy.
- **Cathodic Protection:** The new pipeline segments will be cathodically protected by the rectifier currently protecting Line AA00. Each tie-in point will contain a monolithic weld-in joint to join the new steel pipeline to the existing steel pipeline.
- **Structures:** No structures will be associated with the proposed pipeline. The proposed regulator station would include: a canopy over the designed skids, and a prefabricated building and foundation constructed on the project site to house Supervisory Control and Data Acquisition (SCADA) equipment.
- **ROW and/or Land Requirement:** The land required for the pipeline project consists of public ROW along West North Bend and Winton Road owned by the Hamilton County Board of Commissioners in addition to an approximately 1.3-acre lot adjacent to Winton Road that will be used as a construction laydown area. The land needed for pipeline construction and operation includes the entirety of Duke Energy's purchased property on Winton Road along with a 25-foot adjacent easement. Temporary construction easements

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have been obtained along the route of the pipeline for ingress/egress and material/equipment laydown areas.

**4906-06-05(B)(9)(b): Electric and Magnetic Fields**

This Project involves the construction of a natural gas pipeline; therefore, this section is not applicable.

**4906-06-05(B)(9)(c): Estimated Capital Cost of the Project**

The capital cost of this Project is estimated to be approximately \$2,500,000.

**4906-06-05(B)(10): Social and Ecological Impacts of the Project**

**4906-06-05(B)(10)(a): Land Use**

The proposed Project is located in Springfield Township and Cincinnati, Hamilton County, Ohio. Land use along the subject pipeline includes commercial development at the northern end of the project, private residences to the east, mixed-deciduous forest to the southeast, and a previously cleared, maintained, grassed area to the southwest. Attachment 1, Figure 4 depicts the topographic relief for the proposed project area. The associated laydown/regulator station property consists of approximately 1.3 acres, which is bordered by mixed-deciduous forest to the south and west, Winton Road to the east, maintained grassed area to the north and a communication center with associated infrastructure directly northwest.

**4906-06-05(B)(10)(b): Agricultural Land**

The proposed project does not cross any land that is currently used for agricultural purposes and is not located within any Agricultural District lands as defined by Chapter 929 of the Ohio River Code, therefore this section is not applicable.

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**4906-06-05(B)(10)(c): Archeological and Cultural Resources**

On behalf of Duke Energy, TerraXplorations Inc., conducted a field and desktop survey for historic and archaeological resources within the project area. The field survey occurred on August 23, 2018. The review covered the 1,500 feet (0.28 miles) of existing Hamilton County public ROW on which the subject pipeline will be installed. The review area also included the approximately 1.3-acre construction laydown yard and points of access. TerraXplorations also reviewed a 1-mile area surrounding the project boundary to identify any adjacent cultural or archeological resources within the project's vicinity. Review resources included the Ohio State Historical Preservation Office (OHPO) and the National Register of Historic Places (NRHP). Based upon the results of the Phase I investigation, there was no evidence of cultural or archeological resources found within or directly adjacent to the limits of disturbance for this project. The Phase I Cultural Resources Survey for the Project will be provided to the project docket under separate cover. Coordination with the OHPO to-date is included in Attachment 3. The OHPO Phase I Report concurrence letter will be provided to the project docket once it is received.

**906-06-05(B)(10)(d): Local, State, and Federal Governmental Agencies Which Have Requirements That Must be Met by the Project**

The following governmental agencies have requirements that must be met at various times by this project:

<b>TABLE 1.</b> <b>GOVERNMENTAL AGENCIES WHICH HAVE PROJECT APPLICABLE</b> <b>REQUIREMENTS, AUTHORIZATIONS OR PERMITS</b>	
<b>AGENCY</b>	<b>DOCUMENT TO BE SUBMITTED</b>
U.S. Army Corps of Engineers – Great Lakes & Ohio River Division	None

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U.S. Fish & Wildlife Service	Rare, Threatened, and Endangered Species Coordination
Ohio Department of Natural Resources	Rare, Threatened, and Endangered Species Coordination
Ohio Historic Preservation Office	Cultural Resources Section 106 Coordination
Ohio Environmental Protection Agency	OHC000005 Construction Stormwater Permit
Ohio Environmental Protection Agency	Hydrostatic Test Water Discharge – General Permit
Hamilton County	Not Anticipated

**4906-06-05(B)(10)(e): Federal and State Designated Species**

In July 2018, Pond ecologists performed a desktop and field analysis, on behalf of Duke Energy, which included threatened and endangered species habitat assessment of the project area for federally listed species known to occur within Hamilton County, Ohio. A list of threatened and endangered species was obtained from the United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) online database (Attachment 4). Eight (8) federally listed species were found to potentially occur within the subject county, according to the IPaC database. This list included the Indiana bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), fanshell clam (*Cyprogenia stegaria*), pink mucket (*Lampsilis abrupta*), rayed bean (*Villosa fabalis*), sheepnose mussel (*Plethobasus cyphus*), snuffbox mussel (*Epioblasma triquetra*), and running buffalo clover (*Trifolium stoloniferum*). In addition to reviewing the USFWS County Distribution List, the Ohio Department of Natural Resources (ODNR) State Listed Wildlife and Plant Species was consulted. The desktop habitat assessment found that suitable habitat may be present within or directly adjacent to the project site for the Indiana bat, northern long-eared bat, and running buffalo clover but that habitat was not present for other listed species of concern.

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On behalf of Duke Energy Ohio, Pond submitted written requests for information regarding potential adverse effect to federally listed species in the project area to USFWS and ODNR. The USFWS and ODNR coordination and concurrence documentation regarding species of interest are included in Attachment 4. Coordination with the USFWS confirmed the proposed project lies within the range of the northern long-eared bat and Indiana bat, however seasonal clearing between October 1 and March 31 will prevent adverse effects to these species' habitat. According to the USFWS, "Due to the project type, size, and location, we do not anticipate adverse effects to any other federally endangered, threatened, proposed, or candidate species".

The proposed project site was physically evaluated by a Pond biologist on August 1, 2018, to document existing vegetation communities, hydrologic conditions, and other habitat characteristics. Habitats include maintained ROW adjacent to existing roadways, maintained turf grass field, and early successional forests. The maintained ROW and turf grass field consist primarily of various grasses and forbes receiving full sun. Individuals of white clover (*Trifolium repens*) were located within these habitats. These habitat types are not suitable for running buffalo clover as the site receives full sun and minimal soil disturbance. Early successional forest habitat consists of typical successional species including silver maple (*Acer saccharinum*), green ash (*Fraxinus pennsylvanica*), black walnut (*Juglans nigra*), and various shrubs. In the project area, tree species did not display exfoliating bark, no snags were present, and individuals had diameter at breast height (DBH) no greater than three (3) inches. These characteristics do not provide typical roosting requirements for neither Indiana bat nor northern long-eared bat. This habitat type is not suitable for northern long-eared bat or Indiana bat. Clearing will occur along the western and southern wooded fringes of the laydown yard/ regulator station totaling about 0.18 acre. In addition, all clearing will occur between October 1 and March 31 per coordination with USFWS (Attachment 4) so as to further limit the possibility to adversely impact this species.

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**4906-06-05(B)(10)(f): Areas of Ecological Concern**

There are no national and state forests and parks, designated or proposed wilderness areas, national and state wild and scenic rivers, wildlife areas, refuges, management areas, and sanctuaries in the project area. On August 1, 2018, a Pond biologist conducted an assessment of the vegetation, habitat and hydrologic conditions of the proposed project corridor. Zero (0) aquatic systems (wetlands, streams, open waters) or other areas of ecological concern were present within or directly adjacent to the project site.

**4906-06-05(B)(10)(g): Any Unusual Conditions Resulting in Significant Environmental, Social, Health, or Safety Impacts**

The EDR report apart of the Phase I Environmental Site Assessment indicated BP, Texaco, Shell, and Sunoco gas stations historically located at the northern extent of the project area near the intersection of Winton Road and West North Bend Road. Duke Energy will ensure precautions are in place during construction near the northern tie-in point to monitor for, and as appropriate manage, any petroleum product contaminated soils that may be encountered.

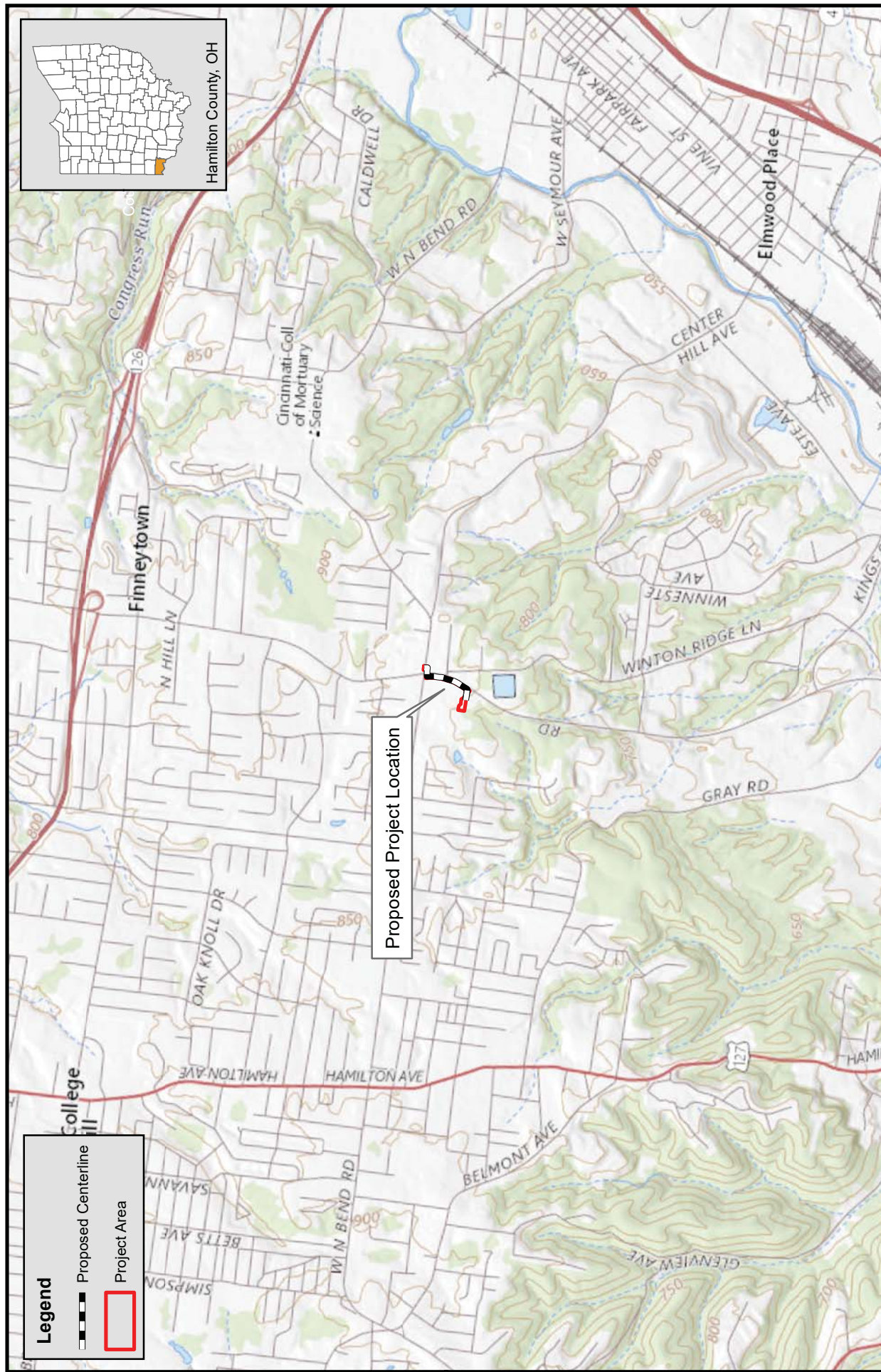
As illustrated by the studies and investigations conducted as a part of this project to date (refer to the Attachments), there are no other readily known unusual conditions in the area of the proposed project that would result in significant environmental impacts. Additionally, because a significant portion of this project proposes to install pipeline within an existing public ROW, there has already been prior ground disturbance and maintenance in the area. Other than potential health and safety issues associated with construction, which will be minimized with best practices during construction, there are no additional health, social or safety impacts that are expect to arise as a result of this project.

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**ATTACHMENT 1**

**FIGURES**

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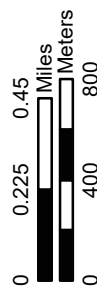


Service Layer Credits: USGS The National Map: National Boundaries Dataset, National Elevation Dataset, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database,

Figure 1  
Project Location Map



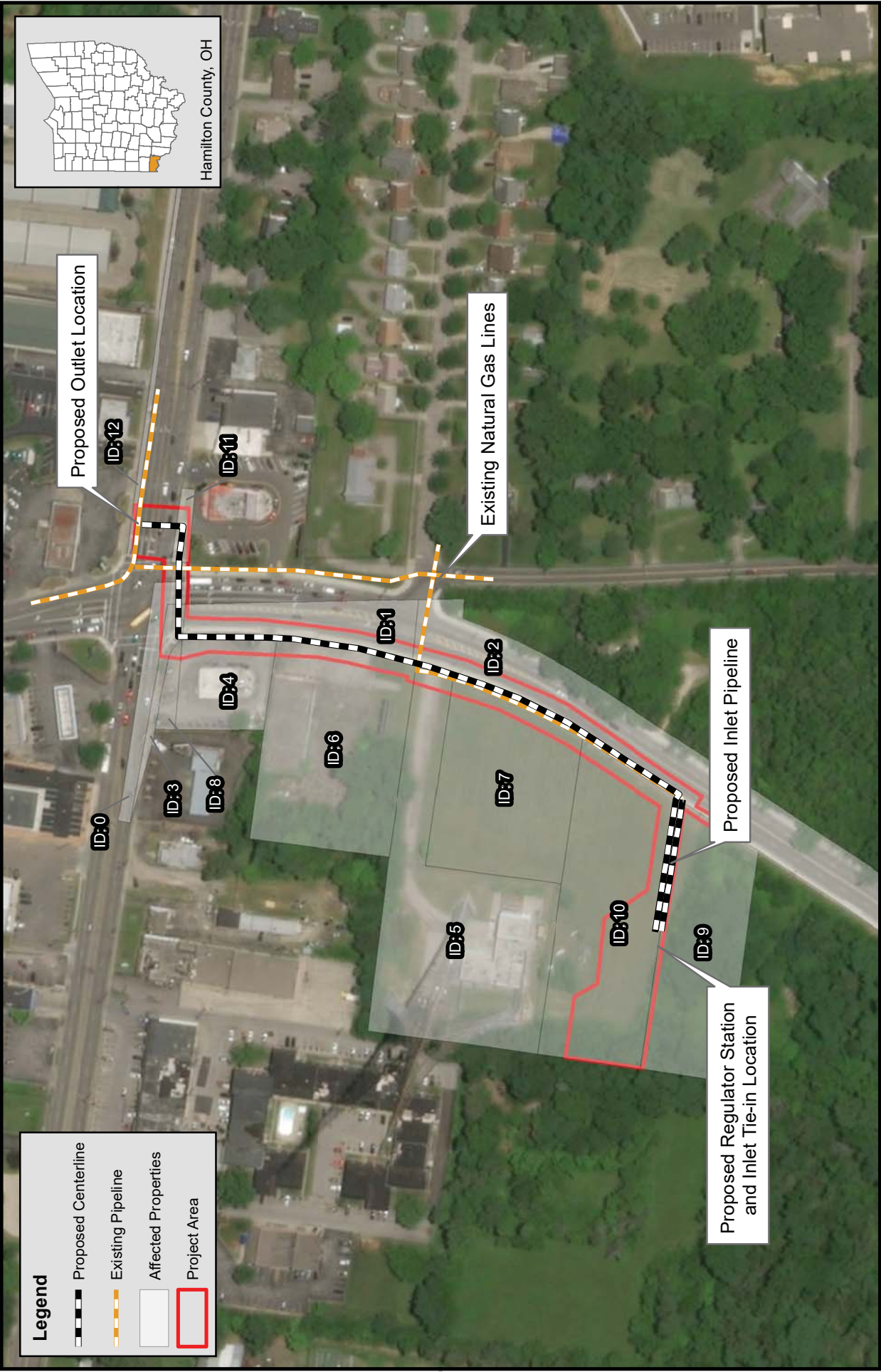
1 inch = 0.5 miles





Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Figure 2  
Project Map - Aerial



Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

**Figure 3**  
**Landowners of Permanent & Temporary Easements**

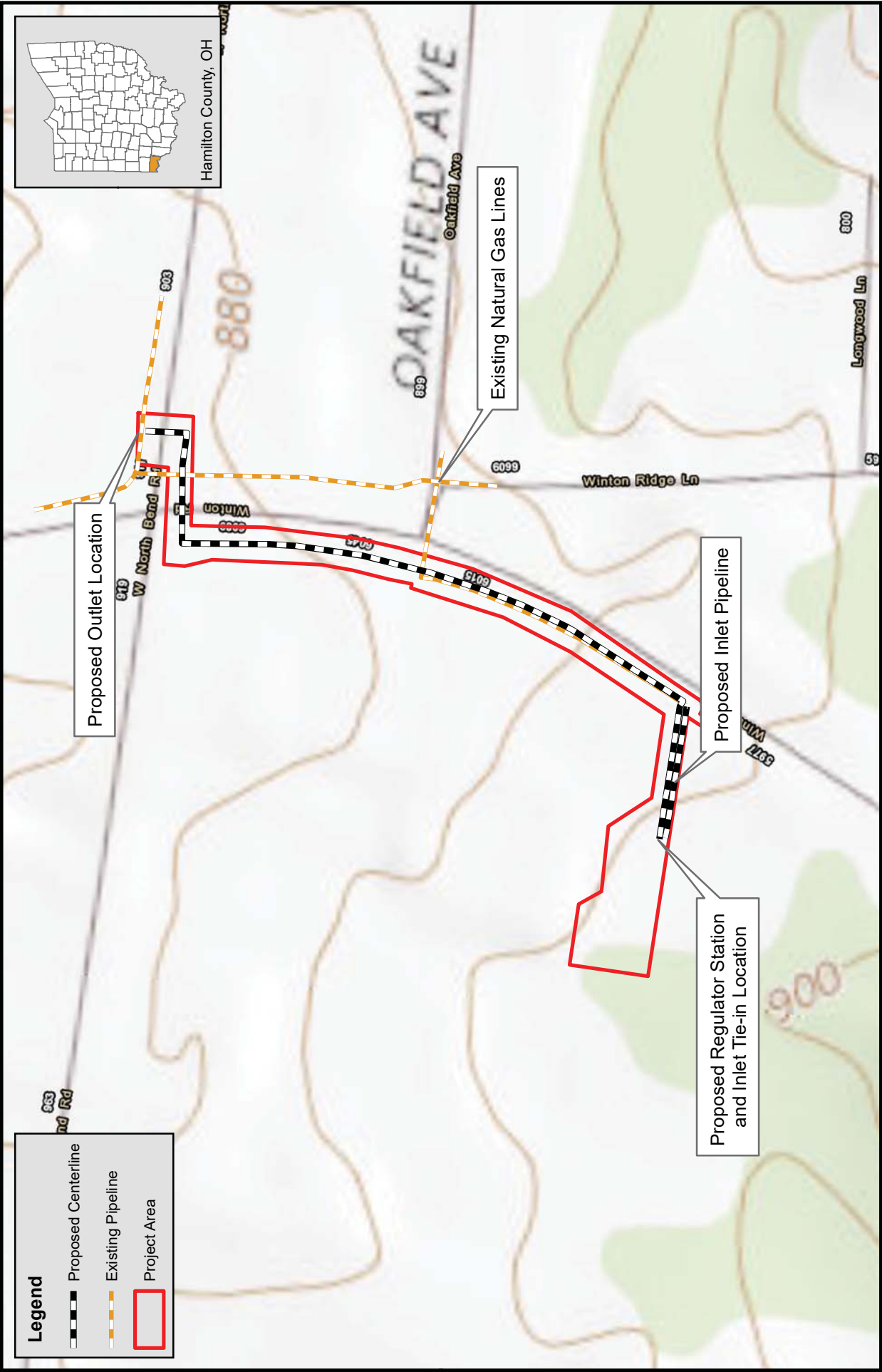


Figure 4  
Project Map - Topography

Service Layer Credits: Esri, HERE, Garmin, © OpenStreetMap contributors  
USGS The National Map: National Boundaries Dataset, National Elevation Dataset, Geographic Names

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**ATTACHMENT 2**

**LANDOWNERS OF PERMANENT AND TEMPORARY EASEMENTS**

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### LANDOWNERS OF PERMANENT & TEMPORARY EASEMENTS (FIGURE 3)

Map ID #	Parcel ID	Owner	Owner Addresses	
			Physical Address	Mailing Address
0	059002110422	Hamilton County Board of Commissioners	W North Bend Road Cincinnati, OH 45224	138 East Court Street, Room 700 – Cincinnati, OH 45202
1	023700020040	Hamilton County Board of Commissioners	Winton Road Cincinnati, OH 45232	138 East Court Street, Room 700 – Cincinnati, OH 45202
2	023700020041	Hamilton County Board of Commissioners	Winton Road Cincinnati, OH 45232	138 East Court Street, Room 700 – Cincinnati, OH 45202
3	059002110389	City of Cincinnati	W North Bend Road & Winton Rd Cincinnati, OH 45224	801 Plum St. Room 122 Cincinnati, OH 4502-5704
4	023700020048	White Castle System Inc.	923 North Bend Road Cincinnati, OH 45224	PO BOX 1498 Columbus OH, 43216
5	023700020049	Sinclair Media III Inc.	6015 Winton Road Cincinnati, OH 45232	10706 Beaver Dam Road Cockeysville, MD 21030
6	023700020017	Hoeweler Family Limited	6045 Winton Road Cincinnati, OH 45232	4000 Red Bud Ave Cincinnati, OH 45229
7	023700020051	Sinclair Media III Inc.	Winton Road Cincinnati, OH 45232	10706 Beaver Dam Road Cockeysville, MD 21030
8	059002110431	White Castle System Inc.	923 North Bend Road Cincinnati, OH 45224	PO BOX 1498 Columbus OH, 43216
9	023700020053	Hoeweler Family Limited	Winton Road Cincinnati, OH 45224	4000 Red Bud Ave Cincinnati, OH 45229
10	023700020052	Sinclair Media III Inc.	Winton Road Cincinnati, OH 45232	10706 Beaver Dam Road Cockeysville, MD 21030
11	059002110316	City of Cincinnati	W North Bend Road Cincinnati, OH 45224	801 Plum St. Room 122 Cincinnati, OH 4502-5704
12	059002110428	City of Cincinnati	W North Bend Road Cincinnati, OH 45224	801 Plum St. Room 122 Cincinnati, OH 4502-5704

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**ATTACHMENT 3**

**COORDINATION WITH OHIO HISTORIC PRESERVATION OFFICE  
(OHPO)**

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3500 Parkway Lane, Suite 500  
Peachtree Corners, Georgia 30092

T: 678.336.7740 | F: 678.336.7744  
www.pondco.com

September 14, 2018

Ohio Historic Preservation Office  
Resource Protection and Review  
800 E. 17<sup>th</sup> Avenue  
Columbus, OH 43211-2497  
ATTN: Resource Protection and Review Department Head

Subject: Duke Energy – Winton Road Station Coordination request

Dear Department Head:

The Duke Energy proposed project, Station 854 Winton Road, consists of the design and replacement of the Center Hill regulator station along with the installation of approximately 1500 linear feet of 20-inch pipeline. The pipeline is to be routed from the new station to the intersection of Winton Road and West North Bend Road to tie into the existing pipeline system. The proposed project corridor is in a suburban area approximately 7 miles north of Cincinnati within Hamilton County, Ohio. The proposed project initiates at approximately 39.1993, -84.5225 at the proposed regulator station and terminates at approximately 39.2015, -84.5208. Current land use along the corridor and proposed regulator station include primarily commercial and residential parcels along maintained road right-of-way.

Enclosed is the Phase 1 Cultural Resource Report summarizing the Phase 1 Cultural Resource Survey performed for the project location for your review and concurrence. If you have any questions concerning this request and/ or supporting documents, please contact me at (770)653-0938.

Respectfully,

W. Flynt Barksdale, PWS  
Senior Scientist

**Attachments:**

**Project Summary Form**  
**Phase 1 Cultural Resources Survey Report**



**OHIO HISTORIC PRESERVATION OFFICE:  
RESOURCE PROTECTION AND REVIEW**

**Section 106 Review - Project Summary Form**

**For projects requiring a license from the Federal Communications Commission, please use FCC Forms 620 or 621. DO NOT USE THIS FORM.**

**SECTION 1: GENERAL PROJECT INFORMATION**

All contact information provided must include the name, address and phone number of the person listed. Email addresses should also be included, if available. Please refer to the Instructions or contact an OHPO reviewer (mailto:Section106@ohiohistory.org) if you need help completing this Form. Unless otherwise requested, we will contact the person submitting this Form with questions or comments about this project.

Date: **September 13, 2018**

Name/Affiliation of person submitting form: **Paul D. Jackson / TerraXplorations, Inc.**

Mailing Address: **3130 East University Blvd, Tuscaloosa, Alabama 35404**

Phone/Fax/Email: **(205) 799-5638**

**A. Project Info:**

**1. This Form provides information about:**

New Project Submittal:

**YES** NO

Additional information relating to previously submitted project:

YES **NO**

OHPO/RPR Serial Number from previous submission:

**2. Project Name (if applicable): **Duke-Winton Road****

**3. Internal tracking or reference number used by Federal Agency, consultant, and/or applicant to identify this project (if applicable): **NA****

Project Address or vicinity:

B. City/Township: **Cincinnati / Springfield**

C. County: **Hamilton**

D. Federal Agency and Agency Contact. *If you do not know the federal agency involved in your project, please contact the party asking you to apply for Section 106 Review, not OHPO, for this information. HUD Entitlement Communities acting under delegated environmental review authority should list their own contact information.*

**NA – Review is required as part of the Ohio Power Siting Board Review.**

E. Type of Federal Assistance. *List all known federal sources of federal funding, approvals, and permits to avoid repeated reviews.*

**NA**

F. State Agency and Contact Person (if applicable):

**NA**

G. Type of State Assistance:

**NA**

H. Is this project being submitted at the direction of a state agency **solely** under Ohio Revised Code 149.53 or at the direction of a State Agency? *Answering yes to this question means that you are sure that no federal funding, permits or approvals will be used for any part of your project, and that you are seeking comments only under ORC 149.53.*

**YES NO**

I. Public Involvement- Describe how the public has been/will be informed about this project and its potential to affect historic properties. Please summarize how they will have an opportunity to provide comments about any effects to historic properties. (This step is required for all projects under 36 CFR § 800.2):

**Review by the Ohio Power Siting Board**

J. Please list other consulting parties that you have contacted/will contact about this project, such as Indian Tribes, Certified Local Governments, local officials, property owners, or preservation groups. (See 36 CFR § 800.2 for more information about involving other consulting parties). Please summarize how they will have an

opportunity to provide comments:

## **Review by the Ohio Power Siting Board**

### **SECTION 2: PROJECT DESCRIPTION AND AREA OF POTENTIAL EFFECTS (APE)**

Provide a description of your project, its site, and geographical information. You will also describe your project's Area of Potential Effects (APE). Please refer to the Instructions or contact an OHPO reviewer if you need help with developing the APE or completing this form.

**Proposed Duke-Winton Road natural gas pipeline project in Cincinnati, Hamilton County, Ohio. Duke Energy proposes to install 1,500 feet (ft.) (457.2 meters [m]) of buried natural gas transmission pipeline and an associated regulator station. The proposed project (direct effects) APE encompasses approximately 1.8 acres (0.7 hectares). The pipeline will be placed within the existing Hamilton County public right-of-way (ROW) initiating at the intersection of Winton Road and West North Bend Road and terminating south of this intersection on the west side of Winton Road at the location for the proposed regulator station. Entrance and exit to the proposed regulator station will be accomplished via construction of a concrete apron and gravel access road directly from Winton Road.**

**Much of the proposed project area has been previously disturbed by urban development and the placement of buried utilities (storm drains, natural gas pipeline, electrical lines) along existing ROW of West North Bend Road and Winton Road. Paved roads, parking lots, and sidewalks cover the northern section of the project area around the intersection of West North Bend Road and Winton Road. The southwestern portion of the project area, where the proposed regulator station is to be placed, is less disturbed and is located primarily within a fallow grass field with a small segment falling within a stand of hardwoods. A large 954-ft. tall TV tower identified as the Star Tower lies immediately north of the area for the proposed regulator station.**

**Considering that the above ground features of this proposed project will be minimal, the visual APE consists of the properties that lie immediately adjacent to the direct effects project area.**

*For challenging projects, provide as much information as possible in all sections, and then check the box in Section 5.A. to ask OHPO to offer preliminary comments or make recommendations about how to proceed with your project consultation. This is recommended if your project involves effects to significant historic properties or if there may be challenging procedural issues related to your project. Please note that providing information to complete all Sections will still be required and that asking OHPO for preliminary comments may tend to delay completion of the review process for some projects.*

A. Does this project involve any Ground-Disturbing activity: YES NO  
(If **Yes**, you must complete all of Section 2.A. If **No**, proceed directly to Section 2. B.)

1. General description of width, length and depth of proposed ground disturbing activity:

**1,500 feet (ft.) (457.2 meters [m]) of buried natural gas transmission pipeline and an associated regulator station. The proposed project (direct effects) APE encompasses approximately 1.8 acres (0.7 hectares).**

2. Narrative description of previous land use and past ground disturbances, if known:

**Early twentieth century maps depict structures within the northern portion of the project area around the intersection of Winton Road and West North Bend Road. These structures have been razed through modern development of the area. The southern portion of the project area appears to have been utilized as agricultural land historically.**

3. Narrative description of current land use and conditions:

**Much of the project area has been disturbed by modern urban development and the placement of buried utilities (storm drains, natural gas pipeline, electrical lines) along existing ROW of West North Bend Road and Winton Road. Paved roads, parking lots, and sidewalks cover the northern section of the project area around the intersection of West North Bend Road and Winton Road. The southwestern portion of the project area is less disturbed and is located primarily within a fallow grass field with a small segment falling within a stand of hardwoods.**

4. Does the landowner know of any archaeological resources found on the property?  
YES NO If yes, please describe:

B. Submit the exact project site location on a USGS 7.5-minute topographic quadrangle map for all projects. Map sections, photocopies of map sections, and online versions of USGS maps are acceptable as long as the location is clearly marked. Show the project's Area of Potential Effects (APE). It should be clearly distinguished from other features shown on the map:

1. USGS Quad Map Name: Cincinnati West, Ohio

2. Township/City/Village Name: **Springfield / Cincinnati / Finneytown**

C. Provide a street-level map indicating the location of the project site; road names must be identified and legible. Your map must show the exact location of the boundaries for the project site. Show the project's Area of Potential Effects (APE). It should be clearly distinguished from other features shown on the map:

- D. Provide a verbal description of the APE, including a discussion of how the APE will include areas with the potential for direct and indirect effects from the project. Explain the steps taken to identify the project's APE, and your justification for the specific boundaries chosen:

**Visual APE**

A 1.6-km (1-mile) search radius was utilized to identify previously recorded cultural resources and previous cultural resource studies to help provide information on what types of cultural resources may be expected and how they may be identified. This research included a review of the Ohio Archaeological Inventory (OAI), the Ohio Historic Inventory (OHI), the NRHP (National Park Service 2018), and various historic maps.

**Direct APE**

The proposed project area encompasses approximately 1.8 acres (0.7 hectares). This entire area was surveyed using shovel test excavation and surface investigation.

a.

- E. Provide a detailed description of the project. This is a critical part of your submission. Your description should be prepared for a cold reader who may not be an expert in this type of project. The information provided must help support your analysis of effects to historic properties, not other types of project impacts. Do not simply include copies of environmental documents or other types of specialized project reports. If there are multiple project alternatives, you should include information about all alternatives that are still under active consideration:

**Duke Energy proposes to install 1,500 feet (ft.) (457.2 meters [m]) of buried natural gas transmission pipeline and an associated regulator station. The proposed project area encompasses approximately 1.8 acres (0.7 hectares). The pipeline will be placed within the existing Hamilton County public right-of-way (ROW) initiating at the intersection of Winton Road and West North Bend Road and terminating south of this intersection on the west side of Winton Road at the location for the proposed regulator station. Entrance and exit to the proposed regulator station will be accomplished via construction of a concrete apron and gravel access road directly from Winton Road.**

### **SECTION 3: IDENTIFICATION OF HISTORIC PROPERTIES**

Describe whether there are historic properties located within your project APE. To make that determination, use information generated from your own Background Research and Field Survey. Then choose one of the following options to report your findings. Please refer to the Instructions and/or contact an OHPO reviewer if you are unsure about how to identify historic properties for your project.

**There are no historic properties in the project APE.**

*If you read the Instructions and you're still confused as to which reporting option best fits your project, or you are not sure if your project needs a survey, you may choose to skip this section, but provide as much supporting documentation as possible in all other Sections, then check the box in Section 5.A. to request preliminary comments from OHPO. After reviewing the information provided, OHPO will then offer comments as to which reporting option is best suited to document historic properties for your project. Please note that providing information to complete this Section will still be required and that asking OHPO for preliminary comments may tend to delay completion of the review process for some projects.*

### **Recording the Results of Background Research and Field Survey:**

- A. **Summary of discussions and/or consultation with OHPO** about this project that demonstrates how the Agency Official and OHPO have agreed that no Field Survey was necessary for this project (typically due to extreme ground disturbance or other special circumstances). Please **attach copies** of emails/correspondence that document this agreement. You must explain how the project's potential to affect both archaeological and historic resources were considered. **N/A**

- B. A table that includes the minimum information** listed in the OHPO Section 106 Documentation Table (which is generally equivalent to the information found on an inventory form). This information must be printed and mailed with the Project Summary Form. To provide sufficient information to complete this Section, you must also include summary observations from your field survey, background research and eligibility determinations for each property that was evaluated in the project APE. **See Chapter 6 of the attached Report**
- C. OHI (Ohio Historic Inventory) or OAI (Ohio Archaeological Inventory) forms-** New or updated inventory forms may be prepared using the OHI pdf form with data population capabilities, the Internet IForm, or typed on archival quality inventory forms. To provide sufficient information to complete this Section, you must include summary observations from your field survey and background research. You must also include eligibility determinations for each property that was evaluated in the project APE **See Chapter 6 of the attached Report**
- D. A historic or archaeological survey report** prepared by a qualified consultant that meets professional standards. The survey report should meet the Secretary of the Interior's Standards and Guidelines for Identification and OHPO Archaeological Guidelines. You may also include new inventory forms with your survey, or update previous inventory forms. To complete this section, your survey report must include summary observations from your field survey, background research and eligibility determinations for each property that was evaluated within the APE.

**A Phase I Cultural Resources Survey of the Project Area was conducted. See attached report.**

- E. Project Findings.** Based on the conclusions you reached in completing Section 3, please choose one finding for your project. There are (mark one):  
 Historic Properties Present in the APE:  
**No Historic Properties Present in the APE:**

#### **SECTION 4: SUPPORTING DOCUMENTATION**

This information must be provided for all projects.

- A.** Photographs must be keyed to a street-level map, and should be included as attachments to this application. Please label all forms, tables and CDs with the date of your submission and project name, as identified in Section 1. You must present enough documentation to clearly show existing conditions at your project site and convey details about the buildings, structures or sites that are described in your submission. Faxed or photocopied photographs are not acceptable. See Instructions for more info about photo submissions or 36 CFR § 800.11 for federal documentation standards. **See Attached Map below.**
1. Provide photos of the entire project site and take photos to/from historic properties from/towards your project site to support your determination of effect in Section 5. **See attached report, Chapters 1 and 6.**
  2. Provide current photos of all buildings/structures/sites described.
- B.** Project plan, specifications, site drawings and any other media presentation that conveys detailed information about your project and its potential to affect historic properties. **See attached report, Chapter 1, Figures 1 and 2.**
- C.** Copies or summaries of any comments provided by consulting parties or the

public. **N/A**

## **SECTION 5: DETERMINATION OF EFFECT**

A. **Request Preliminary Comments.** For challenging projects, provide as much information as possible in previous sections and ask OHPO to offer preliminary comments or make recommendations about how to proceed with your project consultation. This is recommended if your project involves effects to significant historic properties, if the public has concerns about your project's potential to affect historic properties, or if there may be challenging procedural issues related to your project. Please be aware that providing information in all Sections will still be required and that asking OHPO for preliminary comments may tend to delay completion of the review process for some projects.

1. We request preliminary comments from OHPO about this project:

YES NO

2. Please specify as clearly as possible the particular issues that you would like OHPO to examine for your project (for example- help with developing an APE, addressing the concerns of consulting parties, survey methodology, etc.):

**Report Concurrence**

B. **Determination of Effect.** If you believe that you have gathered enough information to conclude the Section 106 process, you may be ready to make a determination of effect and ask OHPO for concurrence, while considering public comments. Please select and mark one of the following determinations, then explain the basis for your decision on an attached sheet of paper:

**No historic properties will be affected** based on 36 CFR § 800.4(d) (1).

Please explain how you made this determination:

**A Phase I cultural resources survey was conducted for the proposed project.**

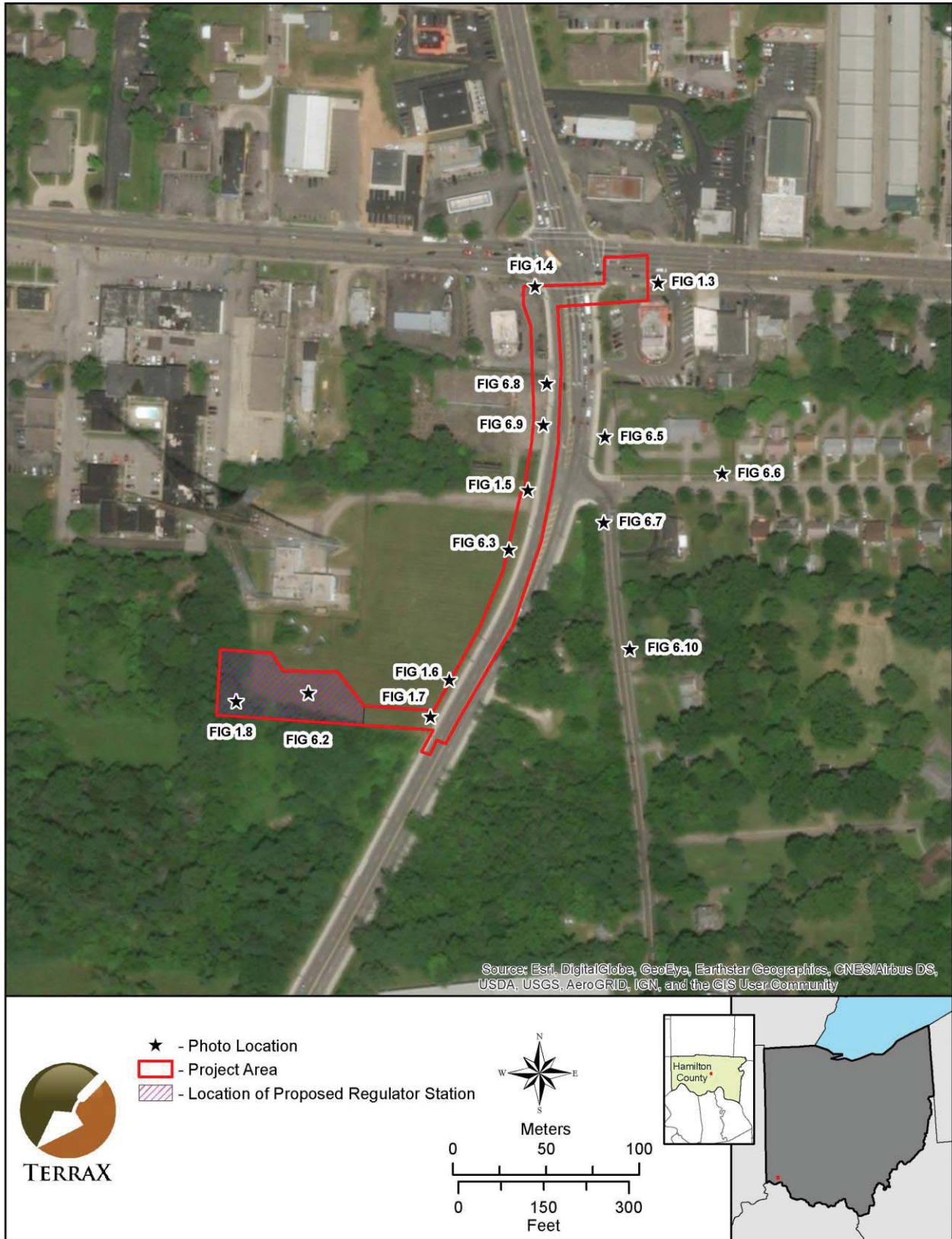
**No Adverse Effect** [36 CFR § 800.5(b)] on historic properties. This finding cannot be used if there are no historic properties present in your project APE. Please explain why the Criteria of Adverse Effect, [36 CFR Part 800.5(a) (1)], were found not to be applicable for your project:

**This project will have no adverse effect.**

**Adverse Effect** [36 CFR § 800.5(d) (2)] on historic properties. Please explain why the criteria of adverse effect, [36 CFR Part 800.5(a) (1)], were found to be applicable to your project. You may also include an explanation of how these adverse effects might be avoided, reduced or mitigated:

*Please print and mail completed form and supporting documentation to:*

*Ohio Historic Preservation Office  
Attn: Resource Protection and Review Department Head  
Resource Protection and Review  
800 E. 17<sup>th</sup> Avenue*



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**ATTACHMENT 4**

**STATE AND FEDERAL COORDINATION FOR THREATENED &  
ENDANGERED SPECIES**

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## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

Ohio Ecological Services Field Office

4625 Morse Road, Suite 104

Columbus, OH 43230-8355

Phone: (614) 416-8993 Fax: (614) 416-8994



In Reply Refer To:

July 30, 2018

Consultation Code: 03E15000-2018-SLI-1746

Event Code: 03E15000-2018-E-01698

Project Name: Station 854 Winton Rd

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

#### To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <http://www.fws.gov/migratorybirds/RegulationsandPolicies.html>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/BirdHazards.html>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <http://www.fws.gov/migratorybirds/AboutUS.html>.

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We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Ohio Ecological Services Field Office**

4625 Morse Road, Suite 104

Columbus, OH 43230-8355

(614) 416-8993

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## Project Summary

Consultation Code: 03E15000-2018-SLI-1746

Event Code: 03E15000-2018-E-01698

Project Name: Station 854 Winton Rd

Project Type: TRANSMISSION LINE

Project Description: regulation station installation

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/39.167044987679475N84.55765583920834W>



Counties: Hamilton, OH

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## Endangered Species Act Species

There is a total of 8 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Mammals

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/5949">https://ecos.fws.gov/ecp/species/5949</a>	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> <li>▪ Incidental take of the northern long-eared bat is not prohibited at this location. Federal action agencies may conclude consultation using the streamlined process described at <a href="https://www.fws.gov/midwest/endangered/mammals/nleb/s7.html">https://www.fws.gov/midwest/endangered/mammals/nleb/s7.html</a></li> </ul> Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Threatened

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## Clams

NAME	STATUS
Fanshell <i>Cyprogenia stegaria</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/4822">https://ecos.fws.gov/ecp/species/4822</a>	Endangered
Pink Mucket (pearlymussel) <i>Lampsilis abrupta</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/7829">https://ecos.fws.gov/ecp/species/7829</a>	Endangered
Rayed Bean <i>Villosa fabalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/5862">https://ecos.fws.gov/ecp/species/5862</a>	Endangered
Sheepnose Mussel <i>Plethobasus cyphus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/6903">https://ecos.fws.gov/ecp/species/6903</a>	Endangered
Snuffbox Mussel <i>Epioblasma triquetra</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/4135">https://ecos.fws.gov/ecp/species/4135</a>	Endangered

## Flowering Plants

NAME	STATUS
Running Buffalo Clover <i>Trifolium stoloniferum</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/2529">https://ecos.fws.gov/ecp/species/2529</a>	Endangered

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

# IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

## Location

Hamilton County, Ohio



## Local office

Ohio Ecological Services Field Office

☎ (614) 416-8993

📠 (614) 416-8994

4625 Morse Road, Suite 104  
Columbus, OH 43230-8355

# Endangered species

**This resource list is for informational purposes only and does not constitute an analysis of project level impacts.**

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species<sup>1</sup> and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information.
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

## Mammals

NAME

STATUS

## Indiana Bat *Myotis sodalis* Endangered

There is **final** critical habitat for this species. Your location is outside the critical habitat.

<https://ecos.fws.gov/ecp/species/5949>

## Northern Long-eared Bat *Myotis septentrionalis* Threatened

This species only needs to be considered if the following condition applies:

- Incidental take of the northern long-eared bat is not prohibited at this location. Federal action agencies may conclude consultation using the streamlined process described at <https://www.fws.gov/midwest/endangered/mammals/nleb/s7.html>

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/9045>

## Clams

NAME	STATUS
<b>Fanshell</b> <i>Cyprogenia stegaria</i> No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/4822">https://ecos.fws.gov/ecp/species/4822</a>	Endangered
<b>Pink Mucket (pearlymussel)</b> <i>Lampsilis abrupta</i> No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/7829">https://ecos.fws.gov/ecp/species/7829</a>	Endangered
<b>Rayed Bean</b> <i>Villosa fabalis</i> No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/5862">https://ecos.fws.gov/ecp/species/5862</a>	Endangered
<b>Sheepnose Mussel</b> <i>Plethobasus cyphus</i> No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/6903">https://ecos.fws.gov/ecp/species/6903</a>	Endangered
<b>Snuffbox Mussel</b> <i>Epioblasma triquetra</i> No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/4135">https://ecos.fws.gov/ecp/species/4135</a>	Endangered

## Flowering Plants

NAME	STATUS
<b>Running Buffalo Clover</b> <i>Trifolium stoloniferum</i> No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/2529">https://ecos.fws.gov/ecp/species/2529</a>	Endangered

## Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

## Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON (IF A  
BREEDING SEASON IS INDICATED  
FOR A BIRD ON YOUR LIST, THE  
BIRD MAY BREED IN YOUR  
PROJECT AREA SOMETIME WITHIN  
THE TIMEFRAME SPECIFIED,  
WHICH IS A VERY LIBERAL  
ESTIMATE OF THE DATES INSIDE  
WHICH THE BIRD BREEDS  
ACROSS ITS ENTIRE RANGE.  
"BREEDS ELSEWHERE" INDICATES  
THAT THE BIRD DOES NOT LIKELY  
BREED IN YOUR PROJECT AREA.)

#### American Bittern *Botaurus lentiginosus*

Breeds Apr 1 to Aug 31

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

<https://ecos.fws.gov/ecp/species/6582>

#### American Golden-plover *Pluvialis dominica*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

#### Bald Eagle *Haliaeetus leucocephalus*

Breeds Sep 1 to Aug 31

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1626>

#### Black-billed Cuckoo *Coccyzus erythrophthalmus*

Breeds May 15 to Oct 10

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9399>

#### Blue-winged Warbler *Vermivora pinus*

Breeds May 1 to Jun 30

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

#### Bobolink *Dolichonyx oryzivorus*

Breeds May 20 to Jul 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

#### Buff-breasted Sandpiper *Calidris subruficollis*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9488>

**Cerulean Warbler** *Dendroica cerulea*

Breeds Apr 21 to Jul 20

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/2974>

**Dunlin** *Calidris alpina arctica*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

**Eastern Whip-poor-will** *Antrostomus vociferus*

Breeds May 1 to Aug 20

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

**Golden Eagle** *Aquila chrysaetos*

Breeds elsewhere

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1680>

**Henslow's Sparrow** *Ammodramus henslowii*

Breeds May 1 to Aug 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/3941>

**Kentucky Warbler** *Oporornis formosus*

Breeds Apr 20 to Aug 20

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

**Le Conte's Sparrow** *Ammodramus leconteii*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

**Least Bittern** *Ixobrychus exilis*

Breeds Aug 16 to Oct 31

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

<https://ecos.fws.gov/ecp/species/6175>

**Lesser Yellowlegs** *Tringa flavipes*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9679>

**Prairie Warbler** *Dendroica discolor*

Breeds May 1 to Jul 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

**Prothonotary Warbler** *Protonotaria citrea*

Breeds Apr 1 to Jul 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

**Red-headed Woodpecker** *Melanerpes erythrocephalus*

Breeds May 10 to Sep 10

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

**Ruddy Turnstone** *Arenaria interpres morinella*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

**Rusty Blackbird** *Euphagus carolinus*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

**Semipalmated Sandpiper** *Calidris pusilla*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

**Short-billed Dowitcher** *Limnodromus griseus*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9480>

**Wood Thrush** *Hylocichla mustelina*

Breeds May 10 to Aug 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

## Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

### Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

### Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

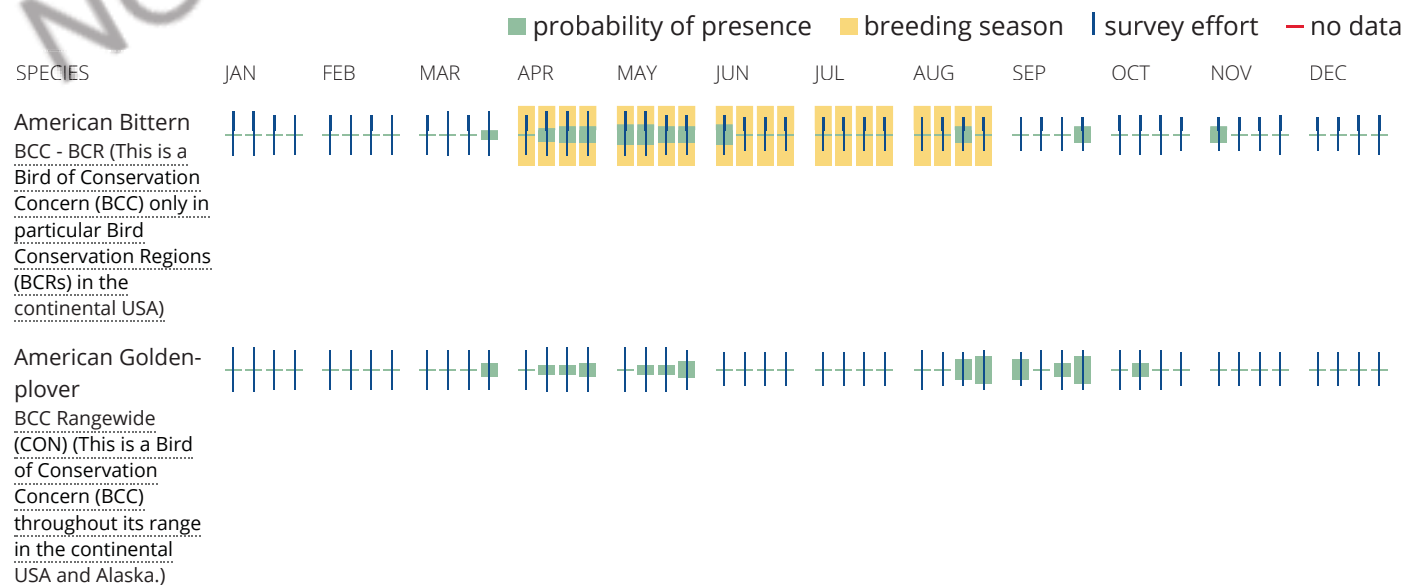
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

### No Data (—)

A week is marked as having no data if there were no survey events for that week.

### Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Bald Eagle  
Non-BCC Vulnerable  
(This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.)



Black-billed Cuckoo  
BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)



Blue-winged Warbler  
BCC - BCR (This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA)



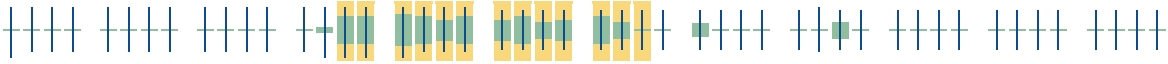
Bobolink  
BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)



Buff-breasted Sandpiper  
BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)



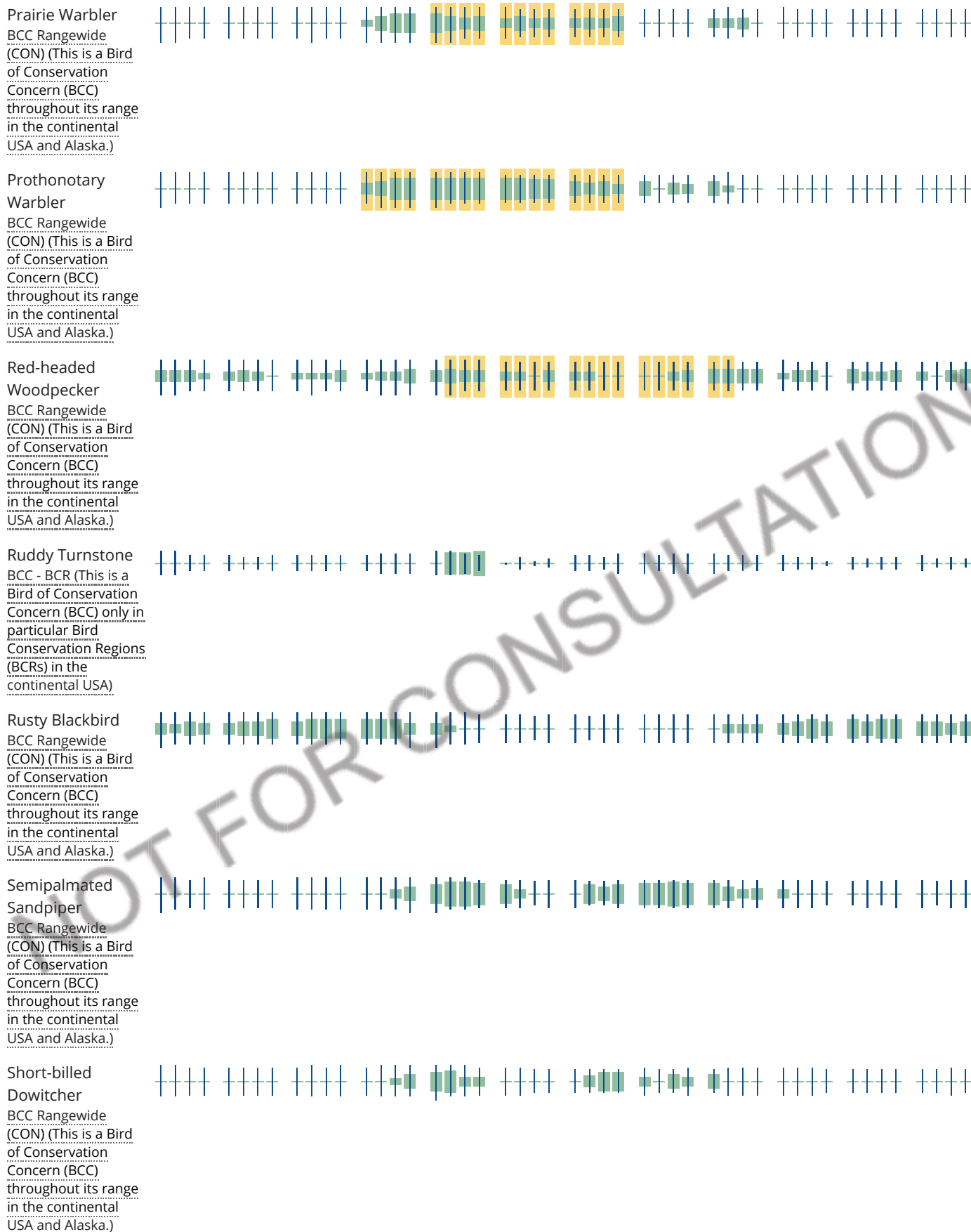
Cerulean Warbler  
BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)



Dunlin  
BCC - BCR (This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA)







Wood Thrush  
BCC Rangeswide  
(CON) (This is a Bird  
of Conservation  
Concern (BCC)  
throughout its range  
in the continental  
USA and Alaska.)



Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) and/or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

**What does IPaC use to generate the migratory birds potentially occurring in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [E-bird Explore Data Tool](#).

**What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

**How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

**What are the levels of concern for migratory birds?**

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

### What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

### Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

## Facilities

## Wildlife refuges and fish hatcheries

REFUGE AND FISH HATCHERY INFORMATION IS NOT AVAILABLE AT THIS TIME

## Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

The area of this project is too large for IPaC to load all NWI wetlands in the area. The list below may be incomplete. Please contact the local U.S. Fish and Wildlife Service office or visit the [NWI map](#) for a full list.

### FRESHWATER EMERGENT WETLAND

[PEM1C](#)  
[PEM1A](#)  
[PEM1Ad](#)  
[PEM1F](#)  
[PEM1Fh](#)  
[PEM1Fx](#)  
[PEM1Ah](#)  
[PEM1Cx](#)  
[PEM1Ch](#)  
[PEM1Fd](#)

### FRESHWATER FORESTED/SHRUB WETLAND

[PFO1A](#)  
[PFO1Ah](#)  
[PFO1C](#)  
[PSS1C](#)  
[PSS1A](#)  
[PFO1Ch](#)  
[PSS1Ah](#)  
[PSS1Ch](#)  
[PFO1Cx](#)  
[PSS1F](#)

[PFO1F](#)  
[PFO1Ax](#)  
[PSS1/EM1C](#)

#### FRESHWATER POND

[PUBGh](#)  
[PUBG](#)  
[PUBFx](#)  
[PUBGx](#)  
[PABGh](#)  
[PUBF](#)  
[PUBFh](#)  
[PABG](#)  
[PAB4Gh](#)

#### LAKE

[L1UBH](#)  
[L1UBHx](#)  
[L1UBHh](#)  
[L2UBGx](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

#### Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

#### Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

#### Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in

activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION



## Hamilton County

Scientific Name	Common Name	Last Observed	State Status	Federal Status
<i>Corallorhiza wisteriana</i>	Spring Coral-root	2006-06-26	P	
<i>Cyperus acuminatus</i>	Pale Umbrella-sedge	2011-09-05	P	
<i>Descurainia pinnata</i>	Tansy Mustard	2006-04-23	T	
<i>Echinodorus berteroi</i>	Burhead	2007-07-17	P	
<i>Lipocarpha micrantha</i>	Dwarf Bulrush	2007-07-17	T	
<i>Orobancha riparia</i>	Louisiana Broom-rape	2010-09-06	E	
<i>Paspalum repens</i>	Riverbank Paspalum	1993-10-26	T	
<i>Passiflora incarnata</i>	Maypop	2010-07-01	T	
<i>Phacelia bipinnatifida</i>	Fern-leaved Scorpion-weed	2007-04-16	P	
<i>Ribes missouriense</i>	Missouri Gooseberry	2010-04-06	T	
<i>Sida hermaphrodita</i>	Virginia-mallow	2005-08-23	P	
<i>Spermacoce glabra</i>	Smooth Buttonweed	2010-10-17	P	
<i>Terrapene carolina</i>	Eastern Box Turtle	2011-07-07	SC	
<i>Trifolium reflexum</i>	Buffalo Clover	2012-05	E	
<i>Trifolium stoloniferum</i>	Running Buffalo Clover	2013-05-25	E	FE
<i>Trillium recurvatum</i>	Prairie Wake-robin	2007-05-08	P	
<i>Triphora trianthophora</i>	Three-birds Orchid	2003-08-08	P	
<i>Viburnum rufidulum</i>	Southern Black-haw	1989-10-22	P	



Ohio Division of Wildlife  
 Ohio Natural Heritage Database  
 Date Accessed: March 6, 2015  
 Status based on 2014-15 Rare Plant List.



## Hamilton County

Scientific Name	Common Name	Last Observed	State Status	Federal Status
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List Created: July 2016

### Status:

*X = Extirpated*

*E = Endangered*

*T = Threatened*

*P = Potentially Threatened*

## HAMILTON COUNTY

State Status	Federal Status	County	Category	Species	CommonName	Sensitive Species	Most Recent Record	FWS
Endangered		Hamilton	Amphibian - Salamander	<b>Cryptobranchus alleganiensis alleganiensis</b>	<b>Eastern Hellbender</b>	<b>Yes</b>	<b>1961</b>	
Endangered		Hamilton	Amphibian - Salamander	Eurycea lucifuga	Cave Salamander	No	2013	
Endangered		Hamilton	Fish	Lepisosteus platostomus	Shortnose Gar	No	2009	
Endangered		Hamilton	Fish	Macrhybopsis hyostoma	Shoal Chub	No	2012	
Endangered		Hamilton	Fish	Noturus stigmosus	Northern Madtom	No	2008	
Endangered		Hamilton	Insect - butterfly	Lycaena helloides	Purplish Copper	No	1917	
Endangered		Hamilton	Insect - butterfly	Speyeria idalia	Regal Fritillary	No	1946	
Endangered		Hamilton	Insect - odonate	Gomphus externus	Plains Clubtail	No	1995	
Endangered		Hamilton	Insect - odonate	Nannothemis bella	Elfin Skimmer	No	2002	
Endangered	Endangered	Hamilton	Invert. - fw bivalve	Cyprogenia stegaria	Fanshell	No	1887	*
Endangered		Hamilton	Invert. - fw bivalve	Ellipsaria lineolata	Butterfly	No	1997	
Endangered		Hamilton	Invert. - fw bivalve	Elliptio crassidens crassidens	Elephant-ear	No	1987	
Endangered	Endangered	Hamilton	Invert. - fw bivalve	Epioblasma obliquata obliquata	Purple Cat's Paw	No	1850	
Endangered	Endangered	Hamilton	Invert. - fw bivalve	Epioblasma torulosa rangiana	Northern Riffleshell	No	1850	
Endangered	Endangered	Hamilton	Invert. - fw bivalve	Epioblasma triquetra	Snuffbox	No	1850	*
Endangered		Hamilton	Invert. - fw bivalve	Fusconaia ebena	Ebonyshell	No	1997	
Endangered		Hamilton	Invert. - fw bivalve	Fusconaia maculata maculata	Long-solid	No	1997	
Endangered		Hamilton	Invert. - fw bivalve	Lampsilis ovata	Sharp-ridged Pocketbook	No	1850	
Endangered		Hamilton	Invert. - fw bivalve	Lampsilis teres	Yellow Sandshell	No	1943	
Endangered	Endangered	Hamilton	Invert. - fw bivalve	Lampsilis abrupta	Pink Mucket	No		*
Endangered		Hamilton	Invert. - fw bivalve	Megaloniais nervosa	Washboard	No	2013	
Endangered	Endangered	Hamilton	Invert. - fw bivalve	Plethobasus cyphus	Sheepnose	No	1997	
Endangered	Endangered	Hamilton	Invert. - fw bivalve	Pleurobema clava	Clubshell	No	1850	
Endangered		Hamilton	Invert. - fw bivalve	Pleurobema cordatum	Ohio Pigtoe	No	1997	
Endangered		Hamilton	Invert. - fw bivalve	Pleurobema rubrum	Pyramid Pigtoe	No	1879	
Endangered	Threatened	Hamilton	Invert. - fw bivalve	Quadrula cylindrica cylindrica	Rabbitsfoot	No	1850	
Endangered		Hamilton	Invert. - fw bivalve	Quadrula metanevra	Monkeyface	No	1997	
Endangered		Hamilton	Invert. - fw bivalve	Quadrula nodulata	Wartyback	No	2013	
Endangered	Endangered	Hamilton	Invert. - fw bivalve	Villosa fabalis	Rayed Bean	No		*
Endangered	Endangered	Hamilton	Mammal	<b>Myotis sodalis</b>	<b>Indiana Myotis</b>	<b>Yes</b>		*
Threatened		Hamilton	Fish	Cypleptus elongatus	Blue Sucker	No	2010	
Threatened		Hamilton	Fish	Notropis boops	Bigeye Shiner	No	2012	
Threatened		Hamilton	Fish	Noturus eleutherus	Mountain Madtom	No	2013	
Threatened		Hamilton	Fish	Percina copelandi	Channel Darter	No	1996	
Threatened		Hamilton	Fish	Percina shumardi	River Darter	No	2009	
Threatened		Hamilton	Fish	Polyodon spathula	Paddlefish	No	1992	
Threatened		Hamilton	Invert. - decapod	Oreconetes (Rhoadesius) sloanii	Sloan's Crayfish	No	1995	
Threatened		Hamilton	Invert. - fw bivalve	Ligumia recta	Black Sandshell	No	2013	
Threatened		Hamilton	Invert. - fw bivalve	Obluquaria reflexa	Threehorn Wartyback	No	2013	
Threatened		Hamilton	Invert. - fw bivalve	Truncilla donaciformis	Fawnsfoot	No	2012	
Threatened		Hamilton	Invert. - fw bivalve	Uniomorus tetralasmus	Pondhorn	No	1850	
Threatened		Hamilton	Mammal	Reithrodontomys humulis	Eastern Harvest Mouse	No	1945	
Threatened		Hamilton	Reptile - Snake	Clonophis kirtlandii	Kirtland's Snake	No	1937	
Species of Concern		Hamilton	Amphibian - Frog / Toad	Acris crepitans crepitans	Eastern Cricket Frog	No	2011	
Species of Concern		Hamilton	Bird	Dendroica cerulea	Cerulean Warbler	No	2006	
Species of Concern		Hamilton	Fish	Ammocrypta pellucida	Eastern Sand Darter	No	2013	
Species of Concern		Hamilton	Fish	Esox masquinongy	Muskellunge	No	2009	
Species of Concern		Hamilton	Fish	Ictalurus furcatus	Blue Catfish	No	2010	
Species of Concern		Hamilton	Fish	Moxostoma carinatum	River Redhorse	No	2010	
Species of Concern		Hamilton	Invert. - fw bivalve	Alasmidonta marginata	Elktoe	No	2007	
Species of Concern		Hamilton	Invert. - fw bivalve	Cyclonaias tuberculata	Purple Wartyback	No	1987	
Species of Concern		Hamilton	Invert. - fw bivalve	Lampsilis fasciola	Wavy-rayed Lampmussel	No	1850	
Species of Concern		Hamilton	Invert. - fw bivalve	Lasmigona compressa	Creek Heelsplitter	No	1850	
Species of Concern		Hamilton	Invert. - fw bivalve	Pleurobema sintoxia	Round Pigtoe	No	1987	
Species of Concern		Hamilton	Invert. - fw bivalve	Ptychobranchnus fasciolaris	Kidneysfoot	No	1850	
Species of Concern		Hamilton	Invert. - fw bivalve	Truncilla truncata	Deertoe	No	2012	
Species of Concern		Hamilton	Mammal	Eptesicus fuscus	Big Brown Bat	No	2011	
Species of Concern		Hamilton	Mammal	Lasionycteris noctivagans	Silver-haired Bat	No	1984	
Species of Concern		Hamilton	Mammal	Lasiurus borealis	Red Bat	No	2010	
Species of Concern		Hamilton	Mammal	Lasiurus cinereus	Hoary Bat	No	2010	
Species of Concern		Hamilton	Mammal	Microtus ochrogaster	Prairie Vole	No	1974	
Species of Concern		Hamilton	Mammal	Microtus pinetorum	Woodland Vole	No	1974	
Species of Concern	Threatened	Hamilton	Mammal	Myotis lucifugus	Little Brown Bat	No	2010	
Species of Concern		Hamilton	Mammal	Myotis septentrionalis	Northern Long-eared Bat	No	2009	
Species of Concern		Hamilton	Mammal	Perimyotis subflavus	Tri-colored Bat	No	2011	
Species of Concern		Hamilton	Mammal	Peromyscus maniculatus	Deer Mouse	No	2013	
Species of Concern		Hamilton	Mammal	Synaptomys cooperi	Southern Bog Lemming	No	1958	
Species of Concern		Hamilton	Mammal	Taxidea taxus	Badger	No	2006	
Species of Concern		Hamilton	Reptile - Snake	Opheodrys aestivus aestivus	Northern Rough Greensnake	No	1973	
Special Interest		Hamilton	Bird	Regulus satrapa	Golden-crowned Kinglet	No	2013	
Special Interest		Hamilton	Insect - moth	Catocala maestosa		No	1924	
Extirpated		Hamilton	Invert. - fw bivalve	Actinonaias ligamentina ligamentina	Mucket	No	1987	
Extirpated		Hamilton	Invert. - fw bivalve	Cumberlandia monodonta	Spectaclecase	No	1909	
Extirpated		Hamilton	Invert. - fw bivalve	Hemistena lata	Cracking Pearly Mussel	No	1850	
Extirpated		Hamilton	Invert. - fw bivalve	Leptodea leptodon	Scaleshell	No	1850	
Extirpated		Hamilton	Invert. - fw bivalve	Obovaria olivaria	Hickorynut	No	1965	
Extirpated		Hamilton	Invert. - fw bivalve	Obovaria retusa	Ring Pink	No	1987	
Extirpated		Hamilton	Invert. - fw bivalve	Plethobasus cicatricosus	White Wartyback	No	1850	
Extirpated		Hamilton	Invert. - fw bivalve	Plethobasus cooperianus	Orange-footed Pearly Mussel	No	1876	
Extirpated		Hamilton	Invert. - fw bivalve	Pleurobema plenum	Rought Pigtoe	No	1885	
Extirpated		Hamilton	Invert. - fw bivalve	Quadrula fragosa	Winged Mapleleaf	No	1850	
Extinct		Hamilton	Invert. - fw bivalve	Epioblasma flexuosa	Leafshell	No	1850	
Extinct		Hamilton	Invert. - fw bivalve	Epioblasma lewisi	Forkshell	No	1850	
Extinct		Hamilton	Invert. - fw bivalve	Epioblasma personata	Round Snuffbox	No	1850	
Extinct		Hamilton	Invert. - fw bivalve	Epioblasma phillipsi	Cincinnati Riffleshell	No	1850	
Extinct		Hamilton	Invert. - fw bivalve	Epioblasma torulosa torulosa	Tubercled Blossom	No	1850	

## Barksdale, Flynt

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**From:** susan\_zimmermann@fws.gov on behalf of Ohio, FW3 <ohio@fws.gov>  
**Sent:** Friday, August 31, 2018 9:12 AM  
**To:** Barksdale, Flynt  
**Cc:** nathan.reardon@dnr.state.oh.us; kate.parsons@dnr.state.oh.us  
**Subject:** Duke Energy, 854 Winton Rd Station, Center Hill Regulator Replacement, Hamilton 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# 03E15000-2018-TA-1746

Dear Mr. Barksdale,

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  $\geq 3$  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  $\geq 3$  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  $\geq 3$  inches dbh cannot be avoided, we recommend that removal of any trees  $\geq 3$  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](mailto: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](mailto:ohio@fws.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott Pruitt", is written over a horizontal line.

Scott Pruitt  
Acting Field Office Supervisor

cc: Nathan Reardon, ODNR-DOW  
Kate Parsons, ODNR-DOW



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August 20, 2018

Nathan Reardon  
Ohio Department of Natural Resources  
Natural Heritage Environmental Review  
Tel 614-265-6741  
[Nathan.reardon@dnr.state.oh.us](mailto:Nathan.reardon@dnr.state.oh.us)

Dear Nathan Reardon:

The Duke Energy proposed project, Station 854 Winton Road, consists of the design and replacement of the Center Hill regulator station along with the installation of approximately 1500 linear feet of 20-inch pipeline. The pipeline is to be routed from the new station to the intersection of Winton Road and West North Bend Road to tie into the existing pipeline system. The proposed project corridor is in a suburban area approximately 7 miles north of Cincinnati within Hamilton County, Ohio. The proposed project initiates at approximately 39.1993, -84.5225 at the proposed regulator station and terminates at approximately 39.2015, -84.5208. Current land use along the corridor and proposed regulator station include primarily commercial and residential parcels along maintained road right-of-way. There are no wetlands or streams within the project area, however there will be some tree removal required along the road right-of-way for the proposed pipeline installation. The proposed laydown area is located on a grassed parcel adjacent to a telecommunication tower on Winton Road.

Best management practices will be used during the clearing and construction phases of this project and will include winter tree clearing, silt fence, temporary site stabilization using mulch, tackifiers, flocculants, and coagulants, as well as stormwater wattles, and sediment filter socks.

Please provide information regarding any known occurrences of protected species, critical habitat, or sensitive areas within five miles of the proposed project area.

Enclosed is the Project Location Map, Property Topographic Map, Project Location KMZ, Site Photo log, the IPaC list from the U.S. Fish and Wildlife Service website, and the known occurrences state listed wildlife and plant species in Hamilton County from the Ohio Department of Natural Resources Website. Please confirm for us that these lists are still current. Your comments regarding the potential for the proposed project to adversely impact protected species would be greatly appreciated. If you have any questions concerning this request and/ or supporting documents, please contact me at (770)653-0938.

Respectfully,

W. Flynt Barksdale, PWS  
Senior Scientist