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June 20, 2018

Ms. Barcy F. McNeal, Secretary
Ohio Power Siting Board
Docketing Division
180 East Broad Street, 11th Floor
Columbus, Ohio 43215

Re: PUCO Case No. 18-498-GA-BNR / Line A000B Pipeline Replacement Project

Dear Ms. McNeal:

Please see the attached letter from the U.S. Fish and Wildlife Service regarding Duke Energy Ohio's summer bat survey report for the above-referenced project.

Should you have any questions please feel free to contact me.

Respectfully submitted,

/s/ Jeanne W. Kingery

Jeanne W. Kingery
Associate General Counsel

cc: Tamara Turkenton

From: susan_zimmermann@fws.gov [mailto:susan_zimmermann@fws.gov] **On Behalf Of** Ohio, FW3
Sent: Tuesday, June 12, 2018 9:45 AM
To: Slack, Ryan <rslack@cecinc.com>
Cc: nathan.reardon@dnr.state.oh.us; kate.parsons@dnr.state.oh.us
Subject: CEC 164-513 - Line A000B Pipeline Replacement Project, Liberty Twp., Butler 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-0974

Dear Mr. Slack,

We have received your summer bat survey report for the subject project. The survey was conducted following current U.S. Fish and Wildlife Service (Service) guidelines. No Indiana bats (*Myotis sodalis*) were detected, demonstrating probable absence of Indiana bats in the project area. Currently, the Service has no known hibernacula or maternity roost records for northern long-eared bat (*Myotis septentrionalis*) in the vicinity of the project. Therefore, the 4(d) rule for the northern long-eared bat could be applied (see: <http://www.fws.gov/midwest/endangered/mammals/nleb/index.html>). Tree clearing on the project site at any time of the year is unlikely to result in adverse impacts to Indiana bats and will not result in any unauthorized incidental take of northern long-eared bats. Negative Indiana bat summer surveys are valid for five years. Therefore, **no tree clearing should occur on the site after March 31, 2024** without further coordination with this office.

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 Endangered Species Act, 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.

This letter provides technical assistance only and does not serve as a completed section 7 consultation document. If project plans change, if portions of the proposed project were not evaluated, or if additional information on listed or proposed species or their critical habitat becomes available, it is our recommendation that you reinitiate coordination with this office. We recommend that the project be coordinated with the Ohio Department of Natural Resources due to the potential for the project to affect state listed species and/or state lands. Contact John

Kessler, Environmental Services Administrator, at (614) 265-6621 or at john.kessler@dnr.state.oh.us.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott Pruitt", is positioned below the word "Sincerely,".

Scott Pruitt
Acting Field Office Supervisor

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