Ohio Department of Natural Resources



MIKE DEWINE, GOVERNOR

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September 9, 2019

Brooke Harrison Burns & McDonnell 530 W. Spring Street, Suite 200 Columbus, Ohio 43215

Re: 19-669; Bath Substation Expansion Project, Burns & McDonnell Project 116386

Project: The proposed project involves the installation of a second new 345/138kV transformer.

Location: The proposed project is located in Beavercreek Township, Greene County, Ohio.

The Ohio Department of Natural Resources (ODNR) has completed a review of the above referenced project. These comments were generated by an inter-disciplinary review within the Department. These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the National Environmental Policy Act, the Coastal Zone Management Act, Ohio Revised Code and other applicable laws and regulations. These comments are also based on ODNR's experience as the state natural resource management agency and do not supersede or replace the regulatory authority of any local, state or federal agency nor relieve the applicant of the obligation to comply with any local, state or federal laws or regulations.

Natural Heritage Database: The Natural Heritage Database has the following record at or within a one-mile radius of the project area:

Beaver Creek Wildlife Area - ODNR Division of Wildlife

The review was performed on the project area you specified in your request as well as an additional one-mile radius. Records searched date from 1980. This information is provided to inform you of features present within your project area and vicinity.

Please note that Ohio has not been completely surveyed and we rely on receiving information from many sources. Therefore, a lack of records for any particular area is not a statement that rare species or unique features are absent from that area. Although all types of plant communities have been surveyed, we only maintain records on the highest quality areas.

Fish and Wildlife: The Division of Wildlife (DOW) has the following comments.

The DOW recommends that impacts to streams, wetlands and other water resources be avoided and minimized to the fullest extent possible, and that best management practices be utilized to minimize erosion and sedimentation.

The project is within the vicinity of records for the Indiana bat (*Myotis sodalis*), a state endangered and federally endangered species. Presence of the Indiana bat has been established in the area, and therefore additional summer surveys would not constitute presence/absence in the area. The following species of trees have relatively high value as potential Indiana bat roost trees to include: shagbark hickory (Carva ovata), shellbark hickory (Carya laciniosa), bitternut hickory (Carya cordiformis), black ash (Fraxinus nigra), green ash (Fraxinus pennsylvanica), white ash (Fraxinus americana), shingle oak (Ouercus imbricaria). northern red oak (Ouercus rubra), slippery elm (Ulmus rubra), American elm (Ulmus americana), eastern cottonwood (Populus deltoides), silver maple (Acer saccharinum), sassafras (Sassafras albidum), post oak (Ouercus stellata), and white oak (Ouercus alba). Indiana bat roost trees consists of trees that include dead and dving trees with exfoliating bark, crevices, or cavities in upland areas or riparian corridors and living trees with exfoliating bark, cavities, or hollow areas formed from broken branches or tops. However, Indiana bats are also dependent on the forest structure surrounding roost trees. If suitable habitat occurs within the project area, the DOW recommends trees be conserved. If suitable habitat occurs within the project area and trees must be cut, the DOW recommends cutting occur between October 1 and March 31. If no tree removal is proposed, this project is not likely to impact this species.

The project is within the range of the clubshell (*Pleurobema clava*), a state endangered and federally endangered mussel, the rayed bean (*Villosa fabalis*), a state endangered and federally endangered mussel, and the snuffbox (*Epioblasma triquetra*), a state endangered and federally endangered mussel, the black sandshell (*Ligumia recta*), a state threatened mussel, and the fawnsfoot (*Truncilla donaciformis*), a state threatened mussel. Due to the location, and that there is no in-water work proposed in a perennial stream, this project is not likely to impact these species.

The project is within the range of the tonguetied minnow (*Exoglossum laurae*), a state threatened fish. Due to the location, and that there is no in-water work proposed in a perennial stream, this project is not likely to impact these species.

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

The project is within the range of the Kirtland's snake (*Clonophis kirtlandii*), a state threatened species. This secretive species prefers wet fields and meadows. Due to the location, the type of habitat at the project site and within the vicinity of the project area, and the type of work proposed, this project is not likely to impact this species.

The project is within the range of the eastern massasauga (*Sistrurus catenatus*), a state endangered and a federally threatened snake species. The eastern massasauga uses a range of habitats including wet prairies, fens, and other wetlands, as well as adjacent drier upland habitat. Due to the location, the type of habitat at the project site and within the vicinity of the project area, and the type of work proposed, this project is not likely to impact this species.

The project is within the range of the upland sandpiper (*Bartramia longicauda*), a state endangered bird. Nesting upland sandpipers utilize dry grasslands including native grasslands, seeded grasslands, grazed and ungrazed pasture, hayfields, and grasslands established through the Conservation Reserve Program (CRP). If this type of habitat will be impacted, construction should be avoided in this habitat during the species' nesting period of April 15 to July 31. If this type of habitat will not be impacted, this project is not likely to impact this species.

The project is within the range of the northern harrier (*Circus cyaneus*), a state endangered bird. This is a common migrant and winter species. Nesters are much rarer, although they occasionally breed in large marshes and grasslands. Harriers often nest in loose colonies. The female builds a nest out of sticks on the ground, often on top of a mound. Harriers hunt over grasslands. If this type of habitat will be impacted, construction should be avoided in this habitat during the species' nesting period of May 15 to August 1. If this habitat will not be impacted, this project is not likely to impact this species.

Due to the potential of impacts to federally listed species, as well as to state listed species, we recommend that this project be coordinated with the U.S. Fish & Wildlife Service.

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

The local floodplain administrator should be contacted concerning the possible need for any floodplain permits or approvals for this project. Your local floodplain administrator contact information can be found at the website below.

http://water.ohiodnr.gov/portals/soilwater/pdf/floodplain/Floodplain%20Manager%20Community %20Contact%20List 8 16.pdf

ODNR appreciates the opportunity to provide these comments. Please contact Sarah Tebbe, Environmental Specialist, at (614) 265-6397 or <u>Sarah.Tebbe@dnr.state.oh.us</u> if you have questions about these comments or need additional information.

John Kessler Environmental Services Administrator This foregoing document was electronically filed with the Public Utilities

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Summary: Response Letter electronically filed by Mrs. Jessica E Kellie on behalf of The Dayton Power and Light Company