

CONSTRUCTION NOTICE FOR THE

Duke Energy Ohio, Inc.

Pierce Substation Expansion Project

PUCO Case No. 20-262-EL-BNR

Submitted to:

The Ohio Power Siting Board

Pursuant to OAC 4906-06

Submitted by:

Duke Energy Ohio, Inc.

March 2020



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ATTACHMENTS

Attachment A – Figures
Attachment B – State Listed Species for Clermont County
Attachment C – Cultural Resources Desktop Review

CONSTRUCTION NOTICE

This Construction Notice has been prepared by Duke Energy Ohio, Inc. (hereafter "Duke Energy Ohio") in accordance with Ohio Administrative Code (OAC) Section 4906-6-05 for the review of Accelerated Certificate Applications for the Duke Energy Ohio Pierce Substation Expansion Project (Project). The following section corresponds to the administrative code sections for the requirements of a Construction Notice.

4906-6-05(B) GENERAL INFORMATION

4906-6-05(B)(1) Project Description

The name of the project and applicant's reference number, names and reference number(s) of resulting circuits, a brief description of the project, and why the project meets the requirements for a Construction Notice application.

Name of Project:

Duke Energy Ohio Pierce Substation Expansion Project

Reference Numbers:

PUCO Filing Number:	The Project has been assigned Public Utilities Commission of Ohio (PUCO) Case Number 20-262-EL-BNR.
PJM Number:	This Project is a PJM Baseline Project and was assigned project number b2977.
2019 LTFR:	This project was not included in the 2019 LTFR because substation expansion projects requiring OPSB approval are not required to be reported in the LTFR, pursuant to Ohio Administrative Code Rule 4901:5-5-04.
Circuit Reference:	This is not assigned as a transmission circuit within Duke Energy Ohio and is a substation asset. No circuit number or name is available.

Brief Description of the Project:

Duke Energy Ohio proposes to expand the existing Pierce Substation by approximately 16,000 square feet (approximately 19 percent) and to install approximately 275 feet of new fencing around the expanded area. The substation expansion will allow for the installation of an electrical control structure and additional equipment within Duke Energy Ohio's Pierce Substation. The expansion is the first phase of necessary upgrades at the Pierce Substation. The future phases will include reconfiguration work within the expanded substation and the installation of structures outside the substation to connect the reconfigured equipment within the expanded substation. The Project is located in Pierce Township near New Richmond, within Clermont County, Ohio, at the existing Pierce Substation site.

Construction Notice Requirement:

This Project qualifies as a Construction Notice filing because it meets the requirements of OAC 4906-1-01, Appendix A, item (4)(a), *Application Requirement Matrix for Electric Power Transmission Lines*:

4. *Constructing additions to existing electric power transmission stations or converting distribution stations to transmission stations where:*

(a) There is a twenty percent or less expansion of the fenced area.

4906-6-05(B)(2) Statement of Need

If the proposed project is an electric power transmission line or gas or natural gas transmission line, a statement explaining the need for the proposed facility.

This project is part of Duke Energy's long-range planning to identify and carry out enhancements to the electrical framework that will address reliability for our communities now and in the years ahead. This substation expansion project will provide the additional space required to reconfigure equipment within the Pierce Substation and install new equipment to modernize the substation. The expanded substation will help increase the reliability of the energy network, as well as meet regulatory standards to serve electricity to homes, schools, hospitals and businesses in the area.

4906-6-05(B)(3) Project Location

The applicant shall provide the location of the project in relation to existing or proposed lines and substations shown on an area system map of sufficient scale and size to show existing and proposed transmission facilities in the Project area.

The location of the Project in relation to existing transmission lines and substations is shown on Figures 1 through 5 in Attachment A – Figures.

4906-6-05(B)(4) Alternatives Considered

The applicant shall describe the alternatives considered and reasons why the proposed location or route is best suited for the proposed facility. The discussion shall include, but not be limited to, impacts associated with socioeconomic, ecological, construction, or engineering aspects of the project.

The proposed Project will occur entirely within Duke Energy property and existing Duke Energy Ohio right-of-way (ROW) within Ohio Valley Electric Corporation (OVEC) property. No additional long-term impacts to adjacent properties are anticipated as a result of the Pierce Substation Expansion Project. Therefore, the current alignment is the only reasonable alternative available and no alternatives were considered.

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

The applicant shall describe its public information program to inform affected property owners and tenants of the nature of the project and the proposed timeframe for project construction and restoration activities.

Information on the ongoing status of this Project and other Duke Energy Ohio projects can be found at the following website: <https://www.duke-energy.com/our-company/about-us/electric-transmission-projects>. Duke Energy Ohio is working with OVEC on the Project details and will provide written notice prior to beginning construction activities.

4906-6-05(B)(6) Construction Schedule

The applicant shall provide an anticipated construction schedule and proposed in-service date of the project.

The expansion of the substation will begin with vegetation clearing anticipated in May 2020, followed by grading and fence construction starting in June 2020 with an anticipated completion date of August 30, 2020, pending approval of this Construction Notice.

4906-6-05(B)(7) Area Map

The applicant shall provide a map of at least 1:24,000 scale clearly depicting the facility with clearly marked streets, roads, and highways, and an aerial image.

Figures 1 and 2 in Attachment A – Figures provide a United States Geological Survey (USGS) quadrangle topographic map and aerial map of the existing and proposed facilities at 1:24,000.

4906-6-05(B)(8) Property Agreements

The applicant shall provide a list of properties for which the applicant has obtained easements, options, and/or land use agreements necessary to construct and operate the facility and a list of the additional properties for which such agreements have not been obtained.

This Project is located at the existing Pierce Substation, which is located on Duke Energy Ohio property and property owned by OVEC. Duke Energy Ohio has existing agreements in place with OVEC to complete this Project and continue operating from this substation on Parcel IDs 272802C018 and 272802C019.

4906-6-05(B)(9) Technical Features

The applicant shall describe the following information regarding the technical features of the project:

Duke Energy Ohio proposes to expand the existing substation to accommodate the installation of a proposed control structure and additional electrical equipment for the anticipated reconfiguration of equipment within the Pierce Substation. The expansion will consist of approximately 16,000 square Feet, representing approximately 19 percent of the existing substation area, as well as the installation of approximately 275 feet of chain link fence.

4906-6-05(B)(9)(a) Operating Characteristics

Operating characteristics, estimated number and types of structures required, and right-of-way and/or land requirements.

This project consists of a physical expansion of the existing Pierce Substation. This is the initial phase of improvements to be made at the Pierce Substation once the expansion has been completed.

Voltage:	N/A
Structure Type:	N/A
Conductors:	N/A
Insulators:	N/A
ROW:	Easement

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

For electric power transmission lines that are within one hundred feet of an occupied residence or institution, the production of electric and magnetic fields during the operation of the proposed electric power transmission line.

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

Calculated electric and magnetic field strength levels at one meter above ground under the lowest conductors and at the edge of the right-of-way.

No occupied residences or institutions are located within 100 feet of the proposed Project; therefore, no Electric and Magnetic Field (EMF) calculations are required by this code provision.

4906-6-05(B)(9)(b)(ii) Design Alternatives for EMF

A discussion of the applicant's consideration of design alternatives with respect to electric and magnetic fields and their strength levels, including alternate conductor configuration and phasing, tower height, corridor location, and right-of-way width.

No occupied residences or institutions are located within 100 feet of the proposed Project; therefore, no design alternatives were considered for the Project.

4906-6-05(B)(9)(c) Project Cost

The estimated capital cost of the project.

The estimated capital cost of the Project is \$250,000. This estimate includes the grading, installation of the new approximately 275-foot perimeter fencing and fence grounding for expansion of the substation.

4906-6-05(B)(10) Social and Ecological Impacts

The applicant shall describe the social and ecological impacts of the project:

4906-6-05(B)(10)(a) Land Use Characteristics

Provide a brief, general description of land use within the vicinity of the proposed project, including a list of municipalities, townships, and counties affected.

The Project is located within Pierce Township within Clermont County. Pierce Township does not currently have a land use plan, but the Project is located adjacent to the existing Pierce Substation. New Richmond is to the south and west of the existing substation. On the other side (west) of State Route 52 is Duke Energy's Beckjord Generation Substation, which is located adjacent to the Beckjord generation station that is no longer owned or operated by Duke Energy.

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

Provide the acreage and a general description of all agricultural land, and separately all agricultural district land, existing at least sixty days prior to submission of the application within the potential disturbance area of the project.

The project is located directly north of the existing substation, on the existing OVEC property and Duke Energy Ohio property. None of this area has been used for agricultural purposes. There will be no anticipated impacts to agricultural land as a result of the Project.

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

Provide a description of the applicant's investigation concerning the presence or absence of significant archaeological or cultural resources that may be located within the potential disturbance area of the project, a statement of the findings of the investigation, and a copy of any document produced as a result of the investigation.

A Cultural Resources Desktop Review was completed on July 10, 2019, for the area within 2 miles of the Project. No cultural or historic resources were identified within the limits of the Project. Refer to Attachment A – Figures for this review.

4906-6-05(B)(10)(d) Local, State, and Federal Agency Correspondence

Provide a list of the local, state, and federal governmental agencies known to have requirements that must be met in connection with the construction of the project, and a list of documents that have been or are being filed with those agencies in connection with siting and constructing the project.

No other local, state or federal permit or other authorizations are required for the Project.

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

Provide a description of the applicant's investigation concerning the presence or absence of federal and state designated species (including endangered species, threatened species, rare species, species proposed for listing, species under review for listing, and species of special interest) that may be located within the potential disturbance area of the project, a statement of the findings of the investigation, and a copy of any document produced as a result of the investigation.

USFWS Information for Planning and Conservation (IPaC) website was reviewed for a list of threatened, endangered, and candidate to be listed species for Clermont County, Ohio. See Attachment B for the IPaC documentation, USFWS response and ODNR coordination.

The Indiana bat (*Myotis sodalis*), and Northern long-eared bat (*Myotis septentrionalis*) are federally listed endangered and threatened species known to occur in Clermont County, Ohio. Potential summer roosting habitat for these species generally consists of sites that contain mature and/or standing dead trees with exfoliating bark, and/or stream/river corridors which serve as flight paths. Additionally, sites that contain caves could be used by the Indiana bat and Northern long-eared bat for winter hibernacula. Mature trees were observed in forested areas, as well as relatively open understories and nearby stream corridors were observed within the site boundaries.

Based on the field assessment and coordination with USFWS and ODNR Duke Energy Biologists and Terracon completed a field assessment of potential roost trees (PRTs) within the Project area. Five (5) PRTs identified in the proximity of the Project area with the remaining vegetation within the Project limits were identified as not containing potential roosting habitat. The clearing limits of the Project areas were surveyed, and it was determined that the 5 identified PRTs would not be impacted by the Project. Therefore, potential habitat may be present in the vicinity of the Project, however no potential roosting habitat will be impacted by the project.

The pink mucket (*Lampsilis abrupta*) is a federally listed endangered species known to occur in Clermont County. This species is generally found in relatively silt-free substrates of sand, gravel, and cobble in good flows of smaller streams. The ephemeral stream that exists northwest of the existing substation will not be impacted as a result of this project; therefore, any proposed activities are not likely to adversely affect any listed species, nor would this species be at risk of a take.

The sheepsnose mussel (*Plethobasus cyphus*), fanshell (*Cyprogenia stegaria*), rayed bean (*Villosa fabalis*), and snuffbox mussel (*Epioblasma triquetra*) are federally listed endangered species known to occur in Clermont County. These species are generally found in larger and headwater streams with moderate to swift currents. Based on the smaller nature of the stream found on site, any proposed activities are not likely to adversely affect any listed species, nor would this species be at risk of a take.

Running buffalo clover (*Trifolium stoloniferum*; RBC) is a federally listed endangered species known to occur in Clermont County. This species typically occurs in mesic habitats of partial to filtered sunlight, where there is a prolonged pattern of moderate periodic disturbance, such as

mowing, trampling, or grazing. It is most often found in regions underlain with limestone or other calcareous bedrock. Evidence of this type of habitat was not observed at the time of the site reconnaissance. Based on the specific habitat type and disturbance type necessary to sustain this species, habitat for RBC is not present at the project site, nor would this species be at risk of a take.

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

Provide a description of the applicant's investigation concerning the presence or absence of areas of ecological concern (including national and state forests and parks, floodplains, wetlands, designated or proposed wilderness areas, national and state wild and scenic rivers, wildlife areas, wildlife refuges, wildlife management areas, and wildlife sanctuaries) that may be located within the potential disturbance area of the project, a statement of the findings of the investigation, and a copy of any document produced as a result of the investigation.

Figures 2 and 5 are maps showing National Wetlands Inventory (NWI) wetlands, and Federal Emergency Management Agency (FEMA) floodplains and floodways information. The FEMA data indicated that the majority of the project site lies in an Area of Minimal Flood Hazard, Zone X, while the northwestern corner lies in the 1% Annual Chance Flood Hazard, Zone AE. The Natural Resources Conservation Service (NRCS) Web Soil Survey did identify hydric properties with the soils within the Project site (see Figure 3 in Attachment A – Figures). A Wetland Delineation was completed in the vicinity of the Project area to determine the presence of potentially jurisdictional waters. A stream was identified outside of the project limits and will not be disturbed or impacted by the Project (see Figure 6 in Attachment A – Figures). The Project site is located adjacent to the existing Pierce Substation and existing Duke Energy transmission lines. The proposed activities are adjacent to and within previously disturbed areas, maintained right-of-way, and a small amount of forested area; therefore, there is no anticipated impact to wetlands, streams, wildlife areas, or other areas of ecological concern as a result of this Project.

4906-6-05(B)(10)(g) Unusual Conditions

Provide any known additional information that will describe any unusual conditions resulting in significant environmental, social, health, or safety impacts.

To the best of Duke Energy Ohio's knowledge, no unusual conditions exist that would result in environmental, social, health, or safety impacts. Construction and operation of the proposed Project will meet all applicable safety standards established by the Occupational Safety and Health Administration and will be in accordance with the requirements specified in the latest revision of the National Electric Code as adopted by the PUCO.

4906-6-07: DOCUMENT OF CONSTRUCTION NOTICE TRANSMITTAL AND AVAILABILITY FOR PUBLIC REVIEW

Copies of the Construction Notice have been sent to the appropriate public officials for Clermont County and Pierce Township, as well as to the Clermont County Public Library.

Attachment A – Figures

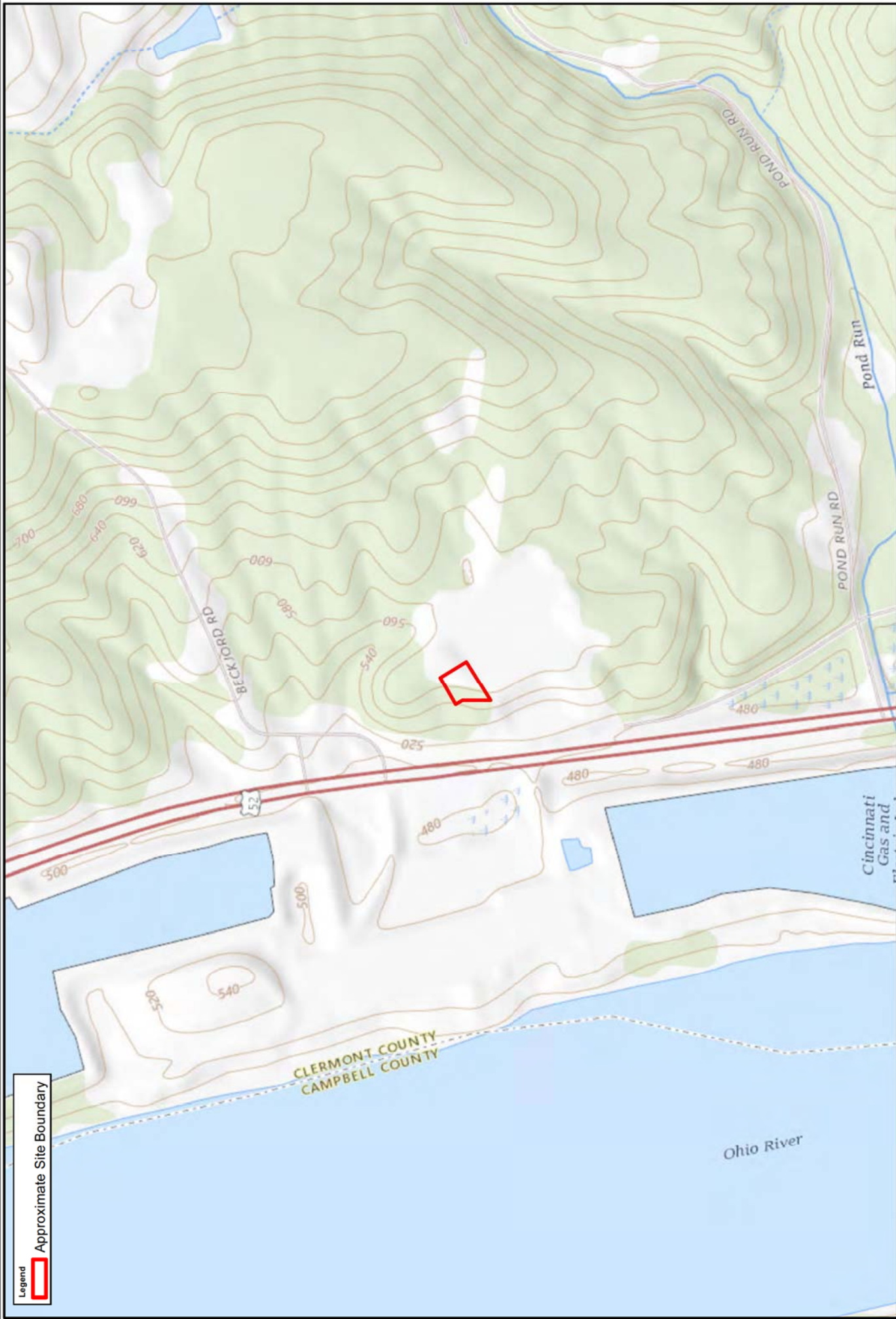


Exhibit
1

Topographic Map
Pierce Substation Expansion
Beckjard Road
New Richmond, Clermont County, Ohio

Terracon
Consulting Engineers & Scientists
611 Lunken Park Drive Cincinnati, Ohio 45226
PH: (513) 321-5816 FAX: (513) 321-0294

Project No. N1197241
Drawn By: MDP
Approved By: SEW
Date: 3/3/2020

0 375 750 1,500 Feet
1:8,000



Legend

Approximate Site Boundary

Wetland Type

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Freshwater Pond

Lake

Other

Riverine

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

Project No.	N1197241
Drawn By:	MDP
Approved By:	SEW
Date:	3/3/2020

Terracon

Consulting Engineers & Scientists

611 Lunken Park Drive
Cincinnati, Ohio 45226
PH: (513) 321-5816
FAX: (513) 321-0294

National Wetlands Inventory Map

Pierce Substation Expansion
Beckjord Road
New Richmond, Clermont County, Ohio

Exhibit

2

1:2,000



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

Project No. N1197241
Drawn By: MDP
Approved By: SEW
Date: 3/3/2020

Terracon
Consulting Engineers & Scientists
611 Lunken Park Drive Cincinnati, Ohio 45226
PH: (513) 321-5816 FAX: (513) 321-0294

NRCS SSURGO Soils Map
Pierce Substation Expansion
Beckjord Road
New Richmond, Clermont County, Ohio

Exhibit	3
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Legend
 Approximate Site Boundary

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



Project No.	N1197241
Drawn By:	MDP
Approved By:	SEW
Date:	3/3/2020



Terracon
Consulting Engineers & Scientists
611 Lunken Park Drive Cincinnati, Ohio 45226
PH: (513) 321-5816 FAX: (513) 321-0294

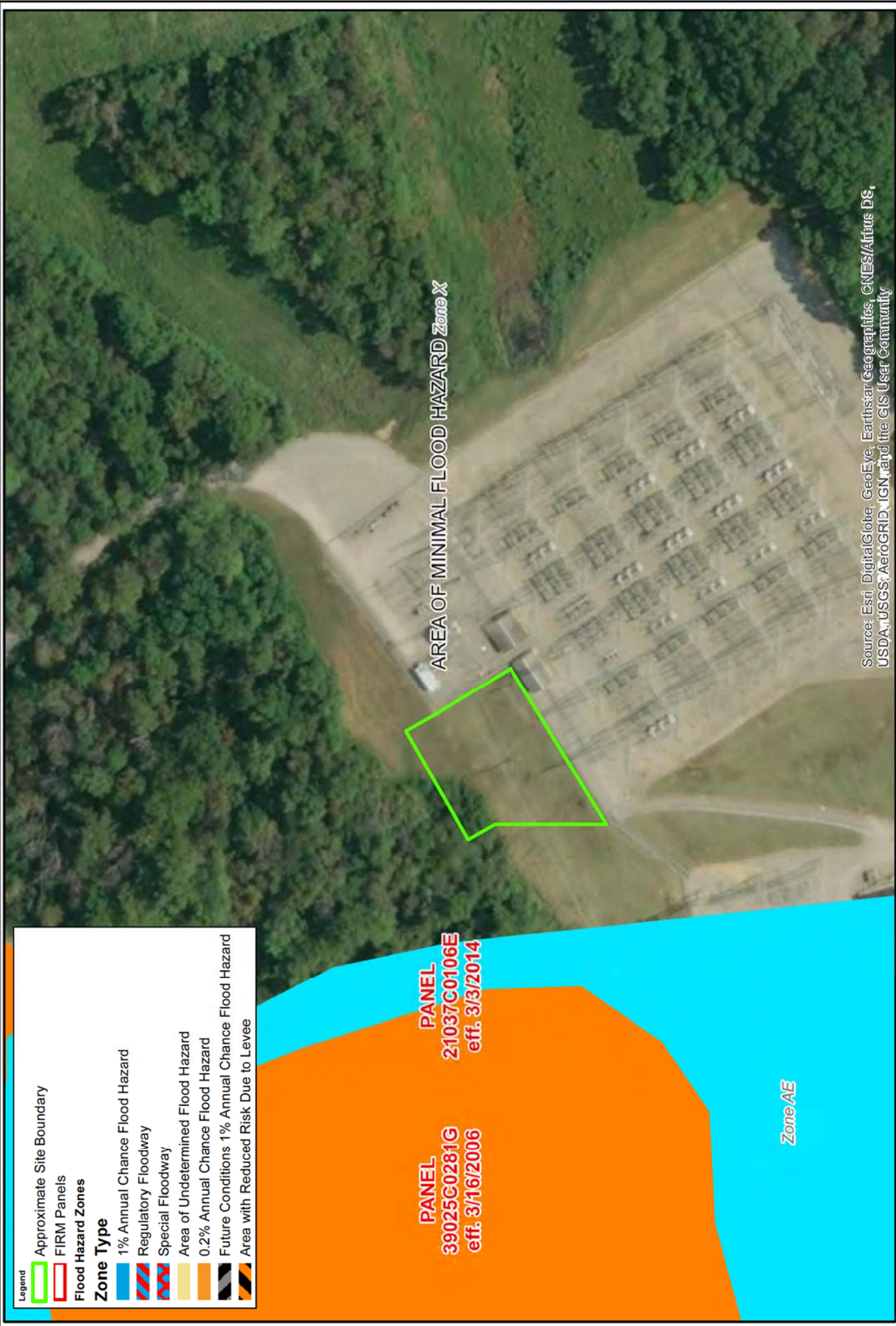
Aerial Image (2016)

Pierce Substation Expansion
Beckjord Road
New Richmond, Clermont County, Ohio

Exhibit

4

1:2,000



Legend

Approximate Site Boundary

FIRM Panels

Flood Hazard Zones

Zone Type

1% Annual Chance Flood Hazard

Regulatory Floodway

Special Floodway

Area of Undetermined Flood Hazard

0.2% Annual Chance Flood Hazard

Future Conditions 1% Annual Chance Flood Hazard

Area with Reduced Risk Due to Levee

PANEL
39025C0281G
eff. 3/16/2006

PANEL
21037C0106E
eff. 3/3/2014

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

Project No.	N1197241
Drawn By:	MDP
Approved By:	SEW
Date:	3/3/2020

Terracon
Consulting Engineers & Scientists

611 Lunken Park Drive
Cincinnati, Ohio 45226
PH: (513) 321-5816
FAX: (513) 321-0294

FEMA Flood Insurance Rate Map (FIRM)

Pierce Substation Expansion
Beckjord Road
New Richmond, Clermont County, Ohio

Exhibit

5

1:2,000



Legend

- Approximate Site Boundary
- Wetlands
- Streams

Stream 1
154 lf

Wetland C
0.026 ac

Wetland A
0.307 ac

Wetland B
0.005 ac

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



Project No.	N1197241
Drawn By:	MDP
Approved By:	SEW
Date:	3/3/2020

Terracon
Consulting Engineers & Scientists
611 Lunken Park Drive Cincinnati, Ohio 45226
PH: (513) 321-5816 FAX: (513) 321-0294

Wetland Delineation Map
Pierce Substation Expansion
Beckjord Road
New Richmond, Clermont County, Ohio

Exhibit
6

1:2,000

Attachment B – State Listed Species for Clermont County



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:

June 28, 2019

Consultation Code: 03E15000-2019-SLI-1440

Event Code: 03E15000-2019-E-01566

Project Name: Pierce Substation Expansion

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>.

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

Project Summary

Consultation Code: 03E15000-2019-SLI-1440

Event Code: 03E15000-2019-E-01566

Project Name: Pierce Substation Expansion

Project Type: POWER GENERATION

Project Description: Wetland delineation and T&E for substation expansion

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/38.99129140221522N84.29175183365666W>



Counties: Clermont, OH

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 Fisheries¹, 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.

-
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 final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	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"> ▪ 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 Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Clams

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

Flowering Plants

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

Critical habitats

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

January 14, 2020

Ohio Department of Natural Resources
Office of Real Estate
2045 Morse Road, Building E-2
Columbus, Ohio 43229-6693

Re: Environmental Review Request
Duke Pierce Substation Expansion
Pierce Township, Clermont County, Ohio
Terracon Project: N1197241
USFWS Consultation Code: 03E15000-2019-SLI-1440

Dear ODNR Official:

Terracon Consultants, Inc. (Terracon) is requesting Environmental Review Request for the proposed Duke Pierce Substation Expansion located in Pierce Township, Clermont County, Ohio. Project details are included in this letter.

Project Description

Project Purpose

The proposed development is designed to upgrade and expand the existing Pierce substation.

Project Location

The proposed substation expansion is located on the eastern side of Beckjord Road in Pierce Township, Ohio. The expansion is proposed to the north-northwest of the existing substation. Enclosed is a site location map (portions of the USGS Withamsville, OH Quadrangle) showing the project location for your reference.

Site Description

The majority of the site consists of an existing substation, surrounded by maintained grassy areas followed by forested land, with a gravel drive to the north-northeast.

Project Equipment and Approach

Terracon understands that grading and filling is necessary to complete this substation expansion. The majority of the substation expansion exists in a grassy area; however, approximately 0.07 acres of trees are proposed to be cleared. Access to the substation is readily available via gravel access roads and adjacent streets. The existing access will further reduce potential impacts to the surrounding areas. Wetlands and waterbodies are not proposed to be impacted as a result of this project. Best management practices for erosion control, including the use of silt fences and straw bales, will be utilized to control sediment and erosion during construction activities.

Observed habitats, streams, wetlands, including the size, location, and quality, and other natural areas, and proposed impacts.

The proposed Duke Energy Ohio Pierce Substation Project involves the expansion of the existing electrical substation and will take place entirely within existing Duke Energy Ohio transmission line corridor and ROW (Exhibits 1 & 2). There are three potentially regulated wetlands and one stream identified within the Project's Study Area. Specific attention was given to the presence of habitat suitable for federally endangered and threatened species – specifically, the Indiana bat, the northern long-eared bat, pink mucket, sheepsnose mussel, fanshell, rayed bean, snuffbox mussel and running buffalo clover. To evaluate the potential habitat for rare, threatened, and endangered species a general site reconnaissance of the Study Area was performed by Terracon Scientist. The result of these habitat assessment can be found below.

Stream 1 (UNT to Ohio River)

One stream (Stream 1) was identified within the project site boundaries during the site reconnaissance. Stream 1 (154 linear feet) flows to the northwest, appears to drain the northern portion of the site and connects to an off-site drainage and culvert to the north. Stream 1 is considered ephemeral and primarily consists of silt and detritus. Because the on-site stream is likely directly connected to and within 4,000 feet of an off-site anchor water's (Ohio River) OHWM, and Terracon considers this stream to be jurisdictional. Additionally, Terracon completed a Primary Headwater Habitat Evaluation (HHEI), which yielded a score of 12; a low quality stream. Stream 1 is not proposed to be impacted by the proposed project.

Emergent Wetland

Three wetlands, totaling 0.338-acres, were observed within the project site boundaries during the site reconnaissance. Because the on-site wetlands are within 4,000 feet of an off-site anchor water's (Ohio River) OHWM, Terracon considers all of the onsite wetlands to be jurisdictional. No wetland impacts are proposed by the proposed project.

The dominant plant species found in the emergent wetlands were dark green bulrush (*Scirpus atrovirens*), fox sedge (*Carex vulpinoidea*), green ash (*Fraxinus pennsylvanica*) saplings, cattail (*Typha angustifolia*), sensitive fern (*Onoclea sensibilis*), and Frank's sedge (*Carex frankii*).

Old Field Uplands (right-of-way; ROW)

The dominant plant species found in the old fields were tall ironweed (*Vernonia gigantea*), lespedeza (*Lespedeza cuneata*), and common milkweed (*Asclepias syriaca*). Approximately 0.5 acres of upland field/ROW will be graded during earthwork activities to accommodate for the project.

Upland Forest

The dominant plant species found in the forested uplands were red maple (*Acer rubrum*), northern red oak (*Quercus rubra*), black walnut (*Juglans nigra*), pawpaw (*Asimina triloba*), Amur honeysuckle (*Lonicera maackii*), and japanese honeysuckle (*Lonicera japonica*). Approximately 0.07 acres of upland forest will be impacted by the project to allow for earthwork and grading activities.

Listed Species

Terracon has reviewed the United States Fish and Wildlife Service (USFWS) Information for Planning and Conservation (IPaC) website and obtained an official species list for this project.

The official species list is enclosed with this submission. The following species were listed as potentially occurring in Clermont County:

Mammals

- The Indiana bat (*Myotis sodalis*) and Northern long-eared bat (*Myotis septentrionalis*) are federally-listed endangered and threatened species, respectively, known to occur in Clermont County. Potential summer roosting habitat for these species generally consists of sites that contain mature and/or standing dead trees with exfoliating bark, and/or stream/river corridors which serve as flight paths. Additionally, sites that contain caves could be used by the Indiana bat and Northern long-eared bat for winter hibernacula. Mature trees were observed in forested areas on site with relatively open understories and nearby stream corridors. Therefore, it is Terracon's opinion that this species is at risk of a take if any tree clearing is performed during potential roosting months.

Mussels

- The pink mucket (*Lampsilis abrupta*) is a federally-listed endangered species known to occur in Clermont County. This species is generally found in relatively silt-free substrates of sand, gravel, and cobble in good flows of smaller streams. Based on the smaller nature of the stream found on site, it is Terracon's opinion that any proposed activities are not likely to adversely affect any listed species.
- The sheepnose mussel (*Plethobasus cyphus*), fanshell (*Cyprogenia stegaria*), rayed bean (*Villosa fabalis*), and snuffbox mussel (*Epioblasma triquetra*) are federally-listed endangered species known to occur in Clermont County. These species are generally found in larger and headwater streams with moderate to swift currents. Based on the smaller nature of the stream found on site, it is Terracon's opinion that any proposed activities are not likely to adversely affect any listed species.

It is Terracon's opinion that the listed mussel species would not be subject to direct, indirect, or cumulative impacts related to this project.

Flowering Plants

- Running buffalo clover (*Trifolium stoloniferum*) is a federally-listed endangered species known to occur in Clermont County. This species typically occurs in mesic habitats of partial to filtered sunlight, where there is a prolonged pattern of moderate periodic disturbance, such as mowing, trampling, or grazing. It is most often found in regions underlain with limestone or other calcareous bedrock. Based on the specific habitat type and disturbance type necessary to sustain this species, Terracon does not consider this species to be at risk of a take.

It is Terracon's opinion that the listed flowering plant species would not be subject to direct, indirect, or cumulative impacts related to this project.

Pre-Development Consultation Request

Duke Pierce Substation Expansion

Pierce Township, Clermont County, Ohio ■ Terracon Project: N1197241

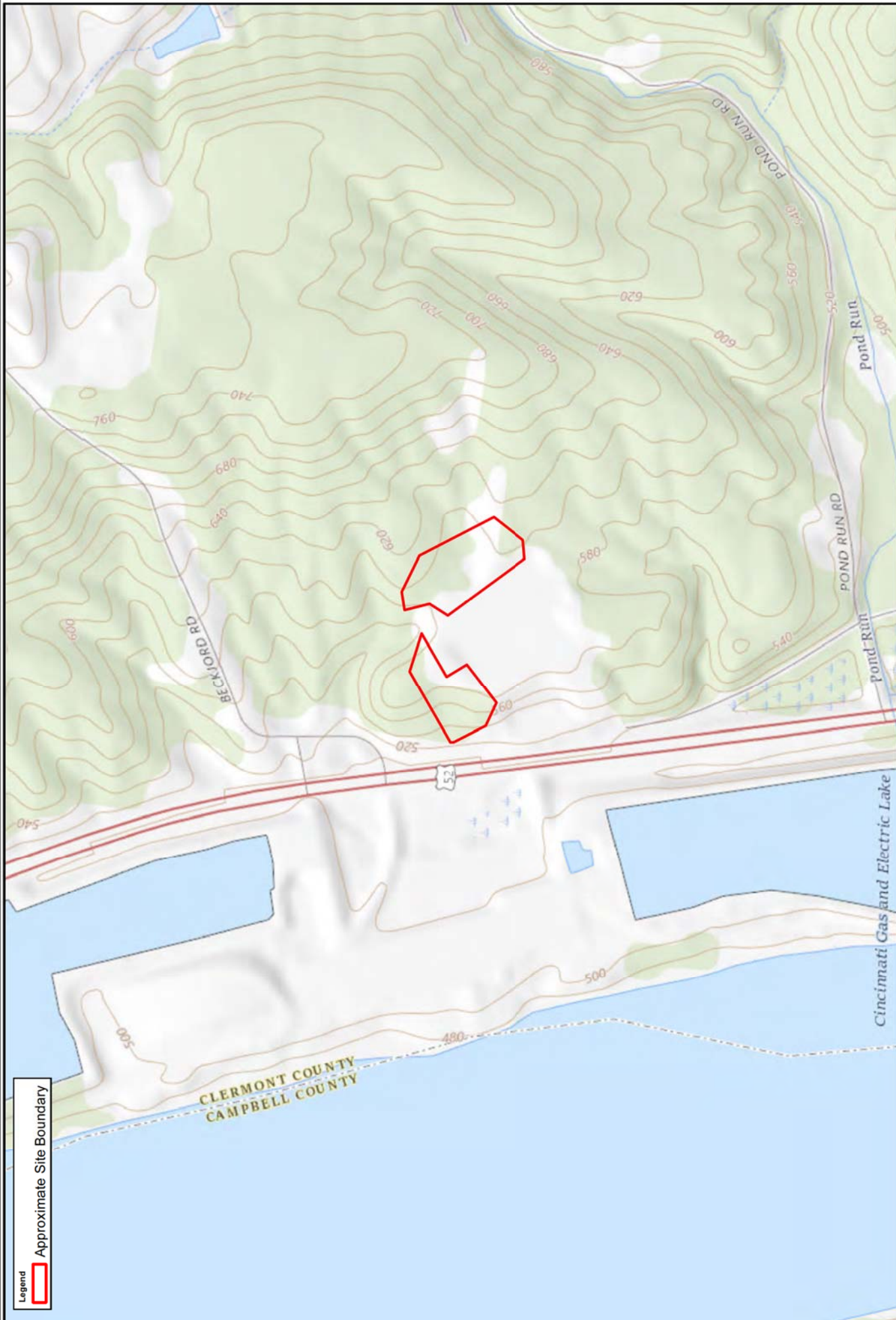


If you have any questions, please feel free to call me at (513) 612-9175 or email at cebrendel@terracon.com. Thank you for your time and effort.

Sincerely,

Cassie Brendel
Field Scientist

EXHIBITS



Legend
Approximate Site Boundary

0 375 750 1,500 Feet



Project No.	N1197241
Drawn By:	MDP
Approved By:	SEW
Date:	6/28/2019

Terracon
Consulting Engineers & Scientists
611 Lunken Park Drive Cincinnati, Ohio 45226
PH: (513) 321-5816 FAX: (513) 321-0294

Topographic Map
Pierce Substation Expansion
Beckjord Road
New Richmond, Clermont County, Ohio

Exhibit
1

1:8,000



Legend

- Approximate Site Boundary
- Wetlands
- Streams

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



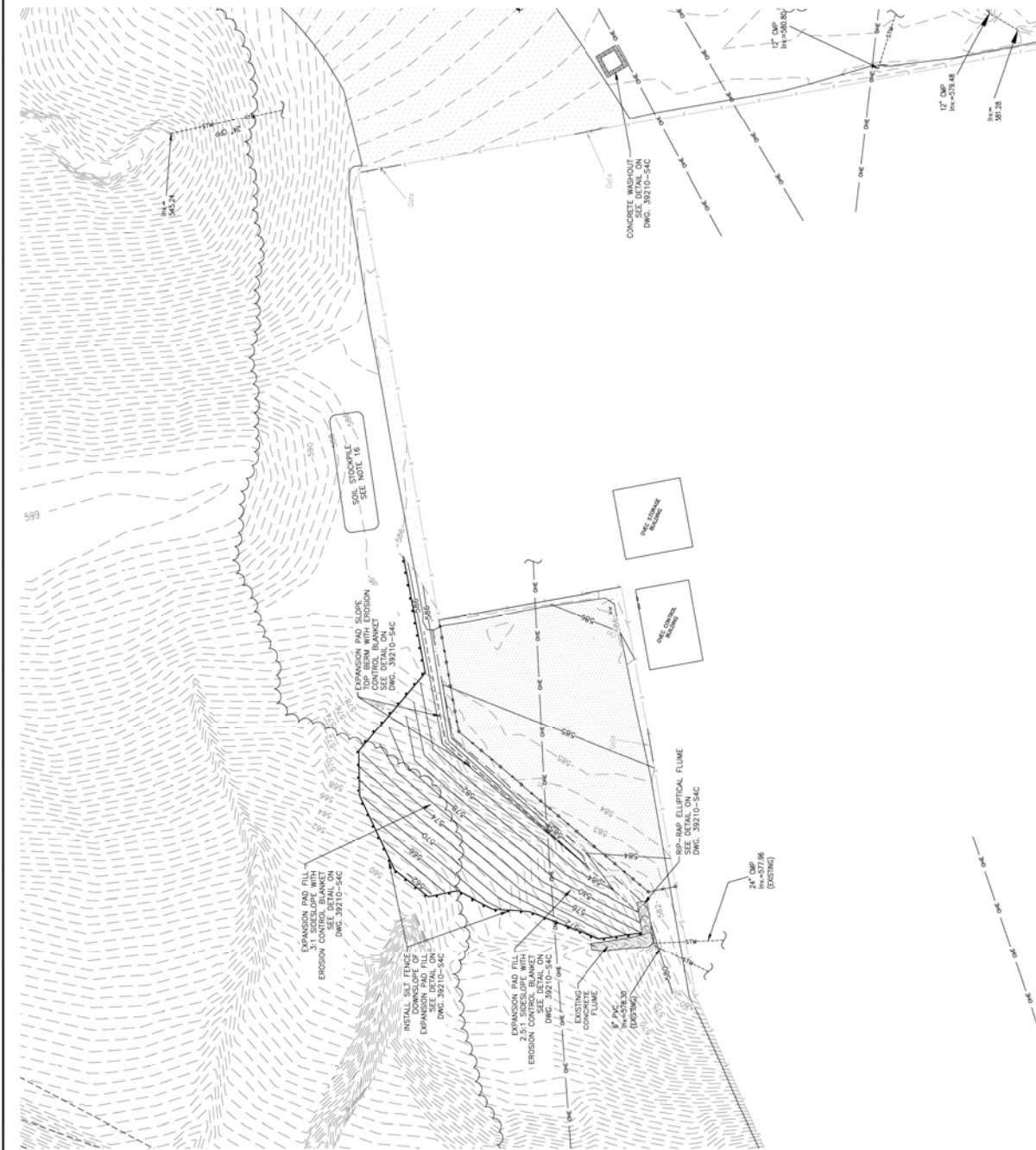
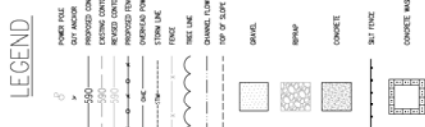
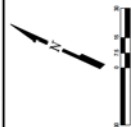
Project No.	N1197241
Drawn By:	MDP
Approved By:	SEW
Date:	7/2/2019

Terracon
Consulting Engineers & Scientists
611 Lunken Park Drive Cincinnati, Ohio 45226
PH: (513) 321-5816 FAX: (513) 321-0294

Wetland Delineation Map
Pierce Substation Expansion
Beckjord Road
New Richmond, Clermont County, Ohio

Exhibit
2

1:2,000



SOIL EROSION & SEDIMENT CONTROL NOTES:

1. LAND DISTURBANCE ACTIVITIES SHALL BE MINIMIZED SUCH THAT EXISTING VEGETATION IS PRESERVED
2. NO LAND CLEARING OR GRADING SHALL BEGIN UNTIL ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES HAVE BEEN PROPERLY INSTALLED
3. ALL FENCING SHALL BE PLACED ALONG THE LIMITS OF CONSTRUCTION, BEING NOTED, IN ACCORDANCE WITH PERMITS. SETTING OF FENCING SHALL MAINTAIN A MINIMUM BUFFER OF 10 FEET FROM ALL EXISTING AND REMAINING VEGETATION. SEDIMENT BARRIERS SHALL BE PLACED DOWN-DRIFT OF ANY EXISTING VEGETATION. FENCING SHALL BE MAINTAINED WITH CLEAN ACCESS INTO AND OUT OF THE SITE, THE HEIGHT OF THE FENCING THINGS MUST BE MAINTAINED FOR CLEAN ACCESS INTO AND OUT OF THE SITE.
4. THE CONSTRUCTION DISTURBANCE MUST BE MAINTAINED FOR CLEAN ACCESS INTO AND OUT OF THE SITE. TRACKS AND PADS SHALL BE CLEANED DAILY, OR MORE FREQUENTLY AS REQUIRED, TO PREVENT EROSION FROM ENTERING THE ROADWAY OR DRAINAGE SYSTEMS.
5. ALL PUBLIC HIGHWAYS MUST BE MAINTAINED IN A CLEAN CONDITION. IF CLEAN CONDITIONS RESULT IN ON-SITE TRAFFIC TRAVELING DOWN AND UP TO THE SHOULDER, IT SHALL BE CLEANED UP EACH DAY AS IT OCCURS.
6. TOPSOIL STRIPPED FROM THE IMMEDIATE CONSTRUCTION AREA SHALL BE STOCKPILED AND SEEDED IN AREA AT LEAST 15 FEET AWAY FROM CONTAMINATED FLOW (LOADINGS) OF STOCKPILES(S) SHALL NOT MIXED DRAINAGE PATTERNS OF EXISTENT ADJACENT PARCELS.
7. ALL EXPOSED AREAS SHALL BE PERMANENTLY SEEDDED WITHIN 7 DAYS AFTER THE SITE GRADING IS COMPLETED.
8. ALL SEEDING AREAS SHALL RECEIVE MULCH OF EROSION CONTROL, BLANKET COVERING FOR EROSION PROTECTION WITHIN 24 HOURS OF SEEDING.
9. SEEDING AND MULCHING SHALL BE IN ACCORDANCE WITH BUREAU ENGINE SPECIFICATION 32.92.00.
10. EXPOSED SOILS SHALL BE STABILIZED TEMPORARILY WITHIN 7 DAYS IF THE EXPOSED AREA IS DOMINANT FOR OVER 14 DAYS OR IF CONSTRUCTION CAUSES FOR MORE THAN 14 DAYS.
11. INSTALL EROSION CONTROL MATING IN GRADED AREAS AND IN ALL GRADED AREAS WITH SLOPES OF 3:1 OR GREATER, MATING WILL REMAIN TO STABILIZE VEGETATION.
12. INSTALL CHECK DAMS IN FINAL GRADED SLOPE. REMOVE CHECK DAMS WHEN POST CONSTRUCTION VEGETATION IS ESTABLISHED.
13. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED AT LEAST ONE (1) DAY EVERY 7(7) DAYS AND IN HOURS OF A RAINFALL EVENT EXCEEDING 0.5 INCHES DURING A 24-HOUR DURATION.
14. ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED IF DEMED NECESSARY BY ON-SITE INSPECTION.
15. TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL ONLY BE REMOVED ONCE THE VEGETATION COVER HAS BEEN ESTABLISHED.
16. ALL STOCKPILES SHALL BE SEEDDED AND MULCHED FOR DRAIN PROTECTION 32.92.00 WITHIN 7 DAYS IF EXPOSED MATERIAL IS COVERED FOR MORE THAN 14 DAYS OR IF CONSTRUCTION CAUSES FOR MORE THAN 14 DAYS.

REFERENCES:

39210-S4	GRADING PLAN
39210-S4B	EROSION AND SEDIMENT CONTROL PLAN POST CONSTRUCTION
39210-S4C	EROSION AND SEDIMENT CONTROL DETAILS

	CESA FILENAME: 39210-S4.dwg	DATE AND TIME
	TITLE EROSION AND SEDIMENT CONTROL DURING CONSTRUCTION	
SCALE: 1" = 30' SCALE FACTOR: 1	LOCATION PIERCE SUBSTATION	SHEET NO. 39210-S4A
DESIGN BY DATE	CHECKED/DESIGNED BY DATE	PERMANENT APPROVAL AS BUILT
THIS DRAWING OR BILL OF MATERIALS IS TO BE USED FOR THE CONSTRUCTION AND MAY NOT BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF DUKE ENERGY CORPORATION	COUNTY CITY/TERRITORY STATE ZIP CODE PROJECT NO. DRAWING NO.	NAME
SCALE: 1" = 30' SCALE FACTOR: 1	SHEET NO. 506	SHEET NO. 39210-S4A

[illegible][illegible]

REFERENCES:

PROJECT NO.	PROJECT NAME	DATE	BY	CHECKED	APPROVED
99210-S4	GRADING PLAN				
99210-S4A	EROSION AND SEDIMENT CONTROL PLAN DURING CONSTRUCTION				
99210-S4C	EROSION AND SEDIMENT CONTROL DETAILS				

[illegible]

SITE PHOTOGRAPHS

Photographic Documentation

Client: Duke Energy

Project Number: N1197241

Location: Beckjord Road, Pierce Township, Ohio

Photographer: C. Brendel

Photograph No. 1

Date: June 27, 2019

Direction: Northeast

Description:
General view of the site.



Photograph No. 2

Date: June 27, 2019

Direction: East

Description:
General view of Wetland A (no impacts).



Photographic Documentation

Client: Duke Energy

Project Number: N1197241

Location: Beckjord Road, Pierce Township, Ohio

Photographer: C. Brendel

Photograph No. 3

Date: June 27, 2019

Direction: Northwest

Description:
Wetland B (no impacts).



Photograph No. 4

Date: June 27, 2019

Direction: Northwest

Description:
Area of Wetland C (no impacts).



Photographic Documentation

Client: Duke Energy

Project Number: N1197241

Location: Beckjord Road, Pierce Township, Ohio

Photographer: C. Brendel

Photograph No. 5

Date: June 27, 2019

Direction: Northwest

Description:
Stream 1 (no impacts).



Photograph No. 6

Date: June 27, 2019

Direction: Northwest

Description:
Stream 1 (no impacts).



Photographic Documentation

Client: Duke Energy

Project Number: N1197241

Location: Beckjord Road, Pierce Township, Ohio

Photographer: C. Brendel

Photograph No. 5

Date: June 27, 2019

Direction: North

Description:

General view of the forested uplands on site.



Photograph No. 6

Date: December 19, 2019

Direction: North

Description:

Area of proposed impacts.



IPAC DOCUMENTATION



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:

June 28, 2019

Consultation Code: 03E15000-2019-SLI-1440

Event Code: 03E15000-2019-E-01566

Project Name: Pierce Substation Expansion

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>.

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

Project Summary

Consultation Code: 03E15000-2019-SLI-1440

Event Code: 03E15000-2019-E-01566

Project Name: Pierce Substation Expansion

Project Type: POWER GENERATION

Project Description: Wetland delineation and T&E for substation expansion

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/38.99129140221522N84.29175183365666W>



Counties: Clermont, OH

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 Fisheries¹, 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.

-
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 final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	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"> ▪ 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 Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Clams

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

Flowering Plants

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

Critical habitats

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

Brendel, Cassandra E

From: Zimmermann, Susan C <Susan_Zimmermann@fws.gov> on behalf of Ohio, FW3 <ohio@fws.gov>
Sent: Tuesday, February 4, 2020 12:56 PM
To: Brendel, Cassandra E
Cc: nathan.reardon@dnr.state.oh.us; kate.parsons@dnr.state.oh.us
Subject: Terracon No. N1197241 Duke Pierce Substation Expansion, Clermont 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# 03E15000-2019-TA-1440

Dear Ms. Brendel,

We have received your recent correspondence requesting information about the subject proposal. There are no federal wilderness areas, wildlife refuges or designated critical habitat within the vicinity of the project area. The following comments and recommendations will assist you in fulfilling the requirements for consultation under section 7 of the Endangered Species Act of 1973, as amended (ESA).

The U.S. Fish and Wildlife Service (Service) recommends that proposed developments avoid and minimize water quality impacts and impacts to high quality fish and wildlife habitat (e.g., forests, streams, wetlands). Additionally, natural buffers around streams and wetlands should be preserved to enhance beneficial functions. If streams or wetlands will be impacted, the Corps of Engineers should be contacted to determine whether a Clean Water Act section 404 permit is required. Best management practices should be used to minimize erosion, especially on slopes. All disturbed areas should be mulched and revegetated with native plant species. Prevention of non-native, invasive plant establishment is critical in maintaining high quality habitats.

FEDERALLY LISTED SPECIES COMMENTS: All projects in the State of Ohio lie within the range of the federally endangered **Indiana bat** (*Myotis sodalis*) and the federally threatened **northern long-eared bat** (*Myotis septentrionalis*). In Ohio, presence of the Indiana bat and northern long-eared bat is assumed wherever suitable habitat occurs unless a presence/absence survey has been performed to document absence. Suitable summer habitat for Indiana bats and northern long-eared bats consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥ 3 inches diameter at breast height (dbh) that have any exfoliating bark, cracks, crevices, hollows and/or cavities), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of other forested/wooded habitat. Northern long-eared bats have also been observed roosting in human-made structures, such as buildings, barns, bridges, and bat houses; therefore, these structures should also be considered potential summer habitat. In the winter, Indiana bats and northern long-eared bats

hibernate in caves and abandoned mines.

The proposed project is in the vicinity of one or more confirmed records of Indiana bats. Therefore, we recommend that trees ≥ 3 inches dbh be saved wherever possible. Because the project will result in a small amount of forest clearing relative to the available habitat in the immediately surrounding area, habitat removal is unlikely to result in significant impacts to these species. Since Indiana bat presence in the vicinity of the project has been confirmed, clearing of trees ≥ 3 inches dbh during the summer roosting season may result in direct take of individuals. 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 tree removal is unavoidable, we recommend that removal of any trees ≥ 3 inches dbh only occur between October 1 and March 31. Following this seasonal tree clearing recommendation should ensure that any effects to Indiana bats and northern long-eared bats are insignificant or discountable.

If implementation of this seasonal tree cutting recommendation is not possible, a summer survey may be conducted to document the presence or probable absence of Indiana bats within the project area during the summer because the proposed project is ≥ 2.5 miles from the Indiana capture location(s). If a summer survey documents probable absence of Indiana bats at the project location, tree clearing on the project site at any time of the year is unlikely to result in adverse impacts to Indiana bats. Negative Indiana bat summer surveys are valid for five years. Summer surveys must be conducted by an approved surveyor (list attached) and be designed and conducted in coordination with the Endangered Species Coordinator for this office. In Ohio, summer mist net surveys must be conducted between June 1 and August 15. We recommend that any Indiana bats captured, especially reproductively active females, be monitored through radio-tracking to determine roost locations.

If there is a federal nexus for the project (e.g., federal funding provided, federal permits required to construct), no tree clearing should occur on any portion of the project area until consultation under section 7 of the ESA, between the Service and the federal action agency, is completed. We recommend that the federal action agency submit a determination of effects to this office, relative to the Indiana bat and northern long-eared bat, for our review and concurrence.

Due to the project type, size, and location, we do not anticipate adverse effects to any other federally endangered, threatened, proposed, or candidate species. Should the project design change, or during the term of this action, additional information on listed or proposed species or their critical habitat become available, or if new information reveals effects of the action that were not previously considered, consultation with the Service should be initiated to assess any potential impacts.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the ESA, and are consistent with the intent of the National Environmental Policy Act of 1969 and the Service's Mitigation Policy. This letter provides technical assistance only and does not serve as a completed section 7 consultation document. We recommend that the project be coordinated with the Ohio Department of Natural Resources due to the potential for the project to affect state listed species and/or state lands. Contact John Kessler, Environmental Services Administrator, at (614) 265-6621 or at john.kessler@dnr.state.oh.us.

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

Sincerely,



Patrice M. Ashfield
Field Office Supervisor

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

Attachment C – Cultural Resources Desktop Review

February 28, 2020

Mr. Michael Minoughan
Duke Energy
139 East Fourth Street
Cincinnati, Ohio 45202

**Re: Cultural Resources Desktop Review for the
Pierce Substation Expansion
Clermont County, Ohio
Terracon Project No. N1195186**

Dear Mr. Minoughan:

Terracon Consultants, Inc. (Terracon), on behalf of Duke Energy, has completed a cultural resources desktop review for the approximately 16,000 sq. ft. Pierce Substation expansion located in New Richmond, Pierce Township, Clermont County, Ohio. The project area is located at the Pierce Substation on Beckjord Road. This work was done under contract to Duke Energy in general accordance with Terracon Proposal No. PN1195186, dated June 17, 2019.

1.0 BACKGROUND RESEARCH

1.1 Previously Recorded Sites

Background research for the cultural resources desktop review was conducted on July 1, 2019, using the Ohio State Historic Preservation Office's (OHPO) Online Mapping System, a GIS program depicting Ohio's previously recorded archaeological resources, inventoried structures, National Register properties, National Historic Landmarks, cemeteries, and Historic Bridges. The area examined was a 2.0-mile radius around the project area.

Based on the results of the background research, there are 13 previously recorded archaeological sites, 10 historic resources, and six cemeteries within a 2.0-mile radius of the project area (Figure 1, Table 1). None of these are within the project area. In addition, six previous archaeological surveys have been conducted within a 2.0-mile radius of the project area (Warwick 2009; Adderley and Martin 2001; Norris 1984; Skinner 1981; Wymer 1978). None of these surveys have been conducted within the current project boundary.

The 13 archaeological resources include sites with Archaic through Mississippian prehistoric components and early to middle twentieth century historic components (Table 1). Six of the sites were not assessed for NRHP eligibility, while information about the NRHP status for seven sites was unavailable. Of the 10 historic structures within a 2.0-mile radius of the project area, the Nelp House (Resource No. CLE25009) was determined to be eligible for the NRHP, while the



remaining eight structures were determined to be ineligible for the NRHP. None of these resources will be impacted by the proposed project.

Table 1. Previously Recorded Cultural Resources within a 2.0-mile Radius of the Project Area.

Resource ID	Description	NRHP Eligibility	Source
33CT21	Late Prehistoric.	Not Assessed	OHPO
33CT23	Archaic, Middle Woodland	Not Available	OHPO
33CT33	Archaic, Early Woodland, Middle Woodland	Not Available	OHPO
33CT47	Archaic, Woodland, Mississippian	Not Available	OHPO
33CT54	Early, Middle Woodland.	Not Available	OHPO
33CT300	Archaic	Not Available	OHPO
33CT529	Unknown Prehistoric	Not Assessed	OHPO
33CT530	Middle 20 th c.	Not Assessed	OHPO
33CT531	Early 20 th c.	Not Assessed	OHPO
33CT532	Early 20 th c.	Not Assessed	OHPO
33CT534	Unknown Prehistoric	Not Assessed	OHPO
33CT662	Unknown Prehistoric	Not Available	OHPO
33CT663	Archaic	Not Available	OHPO
CLE6909	Mott Farm ca. 1820	Not Eligible	OHPO
CLE69910	Beckjord Power Station ca. 1952	Not Eligible	OHPO
CLE22709	Durham Mott House, ca. 1840	Not Eligible	OHPO
CLE23509	Nelp House, ca. 1870	Eligible	OHPO
CLE23909	Single Dwelling, ca. 1875	Not Eligible	OHPO
CLE24209	Martha Green House ca. 1860	Not Eligible	OHPO
CLE24309	Store, ca. 1870	Not Eligible	OHPO
CLE25009	Single Dwelling, ca. 1865	Not Eligible	OHPO
CLE25209	J. Mathews House ca. 1860	Not Eligible	OHPO
CLE48010	Gray Farm, ca. 1849	Not Eligible	OHPO
1832	Atkinson-Williamson Cemetery	Not Available	OHPO
1839	Light -Springer Cemetery	Not Available	OHPO
1843	Cemetery	Not Available	OHPO
1856	Pierce Township Ten Mile Road Cemetery	Not Available	OHPO
14495	Good Samaritan Cemetery	Not Available	OHPO
1849	Donham Cemetery	Not Available	OHPO

2.0 CONCLUSIONS

Based on the available data reviewed, no previously recorded archaeological sites or historic resources have been identified within or immediately adjacent to the project. The majority of the Project is adjacent to an existing substation and transmission lines. Due to the previous disturbance from the existing development of the Pierce Substation and limited amount of ground disturbance related to the placement of additional fill to increase the elevation to match the existing substation ground surface, there is little potential to affect unrecorded cultural resources within the Project area. Based on this, it is Terracon's opinion that no historic properties will be affected by the proposed undertaking and that additional cultural resource investigations are unwarranted. If, however, the project was to trigger compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, by needing a federal permit, license, money, or

Cultural Resources Desktop Review

Pierce Substation Expansion ■ Clermont Co., OH

February 28, 2020 ■ Terracon Project No. N1195186



approval, or if compliance with other applicable state or local cultural resource laws was required, then consultation with the State Historic Preservation Office (SHPO) and other consulting/interested parties would be required.

3.0 CLOSING

Terracon appreciates the opportunity to provide you with this report. If you have any questions, please do not hesitate to contact Bill Green at (803) 403-1256.

Sincerely,

Terracon Consultants, Inc.

A handwritten signature in black ink that reads "Doug Sain".

Doug Sain, Ph.D., RPA # 17527

Senior Archaeologist

Reviewed By:

A handwritten signature in black ink that reads "W. Green (for)".

William Green, M.A., RPA # 10387

Principal / Department Manager

Natural and Cultural Resource Services

REFERENCES

Adderley, Anthony W., and Andrew V. Martin

2001 Archaeological Records Review and Phase I Field Reconnaissance for the Aleshire Site (Trinity Wireless Site #OH00405A) 1041 Cobra Road, Ohio Township, Clermont County, Ohio.

Norris, Rae

1984 Phase I and II Archaeological Survey for the Proposed Fly Ash Pond in Beckjord, Clermont County, Ohio.

Skinner, Shaune

1981 Phase I (Literature Review) Archaeological Survey for the Proposed New Richmond Marina Near New Richmond, Clermont County, Ohio.

Warwick, Jaclyn Lillis

2009 Phase I Archaeological Survey of the Pond Run Landfill Re-Permitting Project, Beckjord Station, Pierce Township, Clermont County, Ohio.

Wymer, Dee Ann

1978 The Prather Site: The Testing of Spatial Patterning of Archaeological Material.

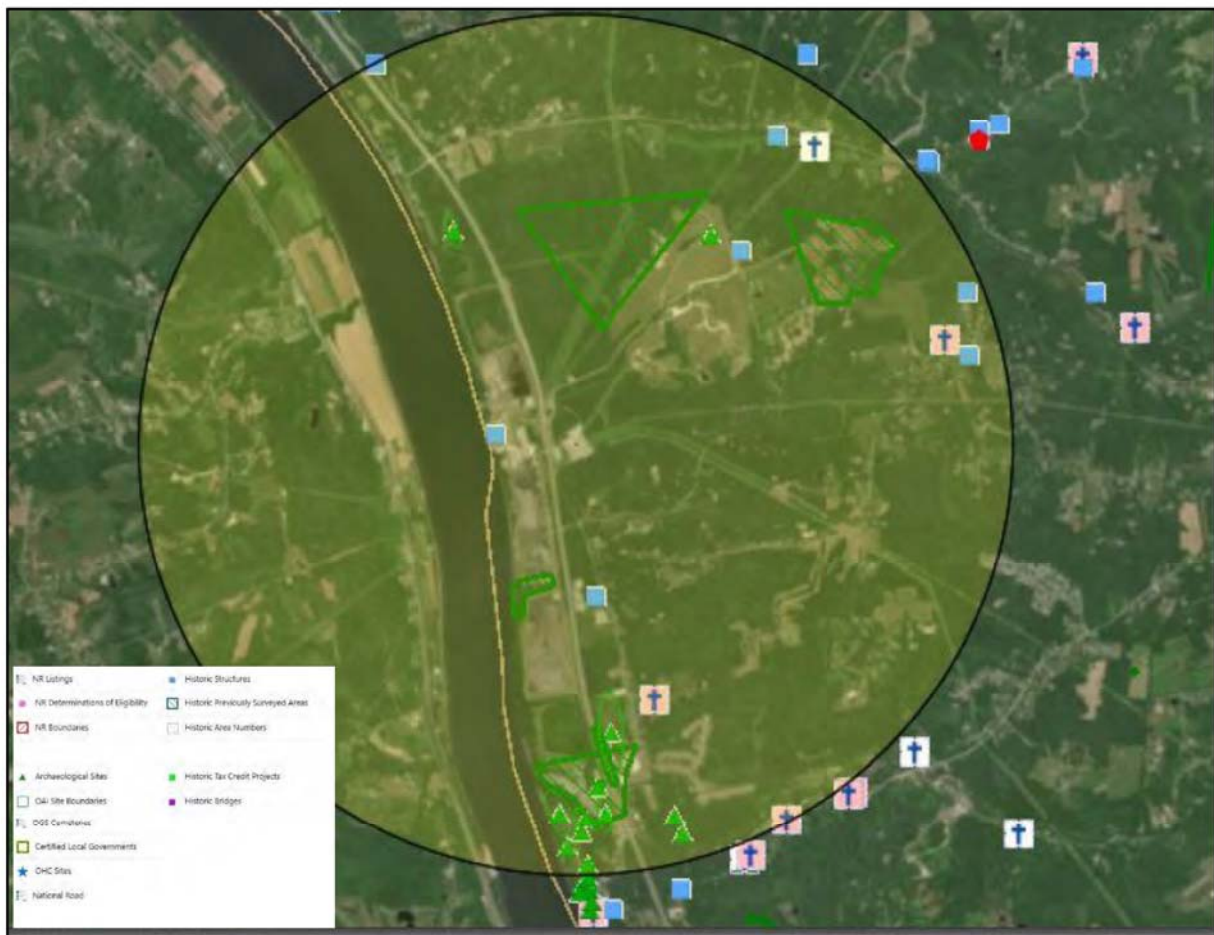


Figure 1. OHPO map showing cultural resources within a 2.0-mile radius.