



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Ecological Services  
4625 Morse Road, Suite 104  
Columbus, Ohio 43230  
(614) 416-8993 / FAX (614) 416-8994  
February 10, 2014

Mr. Banaitis  
Power Engineers, Inc.  
3030 U.S. Route One  
Freeport, ME 04032

TAILS: 03E15000-2014-TA-0594

Dear Mr. Banaitis:

This is in response to your January 20, 2014 letter requesting information on threatened and endangered species within the vicinity of the Hocking - Lancaster 138 kV Transmission Line Rebuild. The project crosses Hocking, Berne, and Rushcreek Townships in Fairfield County and Good Hope, Marion, and Falls Townships in Hocking County. The project involves removing 118 existing structures and installation of 115 new self-supporting galvanized steel structures. The project will occur within an existing cleared corridor.

There are no Federal wildlife refuges, wilderness areas, or Critical Habitat within the vicinity of this site.

You have indicated that that project will not directly disturb waterways or rivers and streams. Streams and wetlands provide valuable habitat for fish and wildlife resources. Buffers of native vegetation surrounding these systems are also important in preserving their wildlife-habitat and water quality-enhancement properties. We recommend that any proposed projects use best construction techniques to minimize erosion. Prevention of non-native, invasive plant establishment is critical in maintaining quality habitats. All disturbed areas should be mulched and re-vegetated with native plants.

**BALD EAGLE COMMENTS:** The project lies within the range of the **bald eagle** (*Haliaeetus leucocephalus*). Bald eagles are protected under the Migratory Bird Treaty Act (16 U.S.C. 703-712; MBTA), and are afforded additional legal protection under the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d, BGEPA). BGEPA prohibits, among other things, the killing and disturbance of eagles.

You have indicated that a bald eagle nest is located within 0.3 miles of the project area. To evaluate your project's potential to affect bald eagles, please visit:

<http://www.fws.gov/midwest/MidwestBird/EaglePermits/baeatake/index.html>.

In order to avoid take of bald eagles, we recommend that no tree clearing occur within 660 feet of a bald eagle nest or within any woodlot supporting a nest tree. Further, we request that work within 660 feet of a nest or within the direct line-of-site of a nest be restricted from January 15 through July 31. This will prevent disturbance of the eagles from the egg-laying period until the young fledge, which encompasses their most vulnerable times.

If these recommendations cannot be implemented and take of bald eagles is likely, a bald eagle take permit for this project may be necessary. Further information on eagle take permits can be found at: <http://www.fws.gov/midwest/MidwestBird/EaglePermits/index.html>.

#### ENDANGERED SPECIES COMMENTS:

The proposed project lies within the range of the **Indiana bat** (*Myotis sodalis*), a federally listed endangered species. Since first listed as endangered in 1967, their population has declined by nearly 60%. Several factors have contributed to the decline of the Indiana bat, including the loss and degradation of suitable hibernacula, human disturbance during hibernation, pesticides, and the loss and degradation of forested habitat, particularly stands of large, mature trees.

Fragmentation of forest habitat may also contribute to declines. Most recently white-nose syndrome (WNS), a novel fungal pathogen, has caused serious declines in the Indiana bat population in the northeastern U.S. WNS has also been documented in Ohio and declines of Indiana bats during winter censuses have been noted, but the full extent of the impacts from WNS in Ohio are not yet known.

During winter, Indiana bats hibernate in caves and abandoned mines. Summer habitat requirements for the species are not well defined but the following are considered important:

- (1) dead or live trees and snags with peeling or exfoliating bark, split tree trunk and/or branches, or cavities, which may be used as maternity roost areas;
- (2) live trees (such as shagbark hickory and oaks) which have exfoliating bark;
- (3) stream corridors, riparian areas, and upland woodlots which provide forage sites.

You have indicated that the project will occur within an existing corridor; however some tree clearing will be required. Field reviews of the area indicate that 16 potential roost trees for the Indiana bat may be impacted. You have indicated that if these trees must be removed, they will be removed between October and March. The Service has no objection to the removal of unavoidable trees between October 1 and March 31.

The proposed project lies within the range of the **northern long-eared bat** (*Myotis septentrionalis*), a species that is currently proposed for listing as federally endangered. Recently white-nose syndrome (WNS), a novel fungal pathogen, has caused serious declines in the northern long-eared bat population in the northeastern U.S. WNS has also been documented in Ohio, but the full extent of the impacts from WNS in Ohio are not yet known.

During winter, northern long-eared bats hibernate in caves and abandoned mines. Summer habitat requirements for the species are not well defined but the following are considered important:

- (1) Roosting habitat in dead or live trees and snags with cavities, peeling or exfoliating bark, split tree trunk and/or branches, which may be used as maternity roost areas;
- (2) Foraging habitat in upland and lowland woodlots and tree lined corridors;
- (3) Occasionally they may roost in structures like barns and sheds.



The proposed project site does contain some forested habitat. We recommend that trees exhibiting any of the characteristics listed above, as well as any wooded areas or tree lined corridors be saved wherever possible. However, if these areas cannot be avoided, they should only be cut between October 1 and March 31.

The proposed project lies within the range of **running buffalo clover** (*Trifolium stoloniferum*), a federally listed endangered species. This plant has been documented within Marion Township, but is located a significant distance from the proposed project area. This species can be found in partially shaded woodlots, mowed areas (lawns, parks, cemeteries), and along streams and trails. Running buffalo clover requires periodic disturbance and a somewhat open habitat to successfully flourish, but cannot tolerate full-sun, full-shade, or severe disturbance. The project area is within an existing cleared corridor. Due to the project location and the onsite habitat no significant impacts are expected to this species.

Due to the project, type, location, and onsite habitat we do not anticipate significant impacts to any other federally endangered, threatened, proposed, or candidate species.

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 Endangered Species Act of 1973, as amended, and are consistent with the intent of the National Environmental Policy Act of 1969 and the U.S. Fish and Wildlife Service's Mitigation Policy. Please note that consultation under section 7 of the ESA may be warranted for this project if suitable habitat for federally listed species may be impacted by this project. This letter provides technical assistance only and does not serve as a completed section 7 consultation document.

If you have any questions regarding our response or if you need additional information, please contact Jennifer Finfera at extension 13.

Sincerely,



Mary Knapp, Ph.D.  
Field Supervisor

cc: ODNR Crane Creek Wildlife Research Station, 13229 W. SR 2, Oak Harbor, OH 43449

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**3/20/2014 3:25:17 PM**

**in**

**Case No(s). 14-0144-EL-BLN**

Summary: Letter of Notification Hocking West Lancaster 138 kV Transmission Line Rebuild  
Project (Part 9 of 9)