









Alamo Solar Project

APPENDIX

B

AGENCY CORRESPONDENCE

#### Megan McLaughlin

From: susan\_zimmermann@fws.gov on behalf of Ohio, FW3 <ohio@fws.gov>

**Sent:** Monday, July 30, 2018 3:25 PM

To: Megan McLaughlin

Cc:nathan.reardon@dnr.state.oh.us; kate.parsons@dnr.state.oh.usSubject:Open Road Renewables - Alamo Solar Project, Preble County Ohio

**Attachments:** 2018 USFWS Federally Listed Bat Permitees - Ohio.pdf



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-1755

Dear Ms. McLaughlin,

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.

Female Indiana bats exhibit strong site fidelity to summer roosting and foraging areas, meaning that they return to the same area, and often the same trees, to roost, year after year. Because the project will result in a large amount of forest clearing relative to the available habitat in the immediately surrounding area, habitat removal could result in significant impacts to Indiana bats. Because of this, the proposed project may result in indirect adverse effects to Indiana bats, even if tree clearing is conducted during the winter season when Indiana bats are not present. **Therefore, we recommend that a summer survey be conducted to determine presence or probable absence of Indiana bats at the project site.** The summer survey 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 surveys must be conducted between June 1 and August 15. We recommend that any Indiana bats and northern long-eared bats captured, especially reproductively active females and juveniles, be monitored through radio-tracking to determine roost locations.

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 also warranted. Portal surveys must be conducted by an approved surveyor and be designed and conducted in coordination with the Endangered Species Coordinator for this office.

Survey results should be coordinated with this office prior to initiation of any work. Based on the results of the survey(s), we will evaluate potential impacts to the Indiana bat from the proposed project. If a summer survey documents probable absence of Indiana bats, the 4(d) rule for the northern long-eared bat could be applied (see <a href="http://www.fws.gov/midwest/endangered/mammals/nleb/index.html">http://www.fws.gov/midwest/endangered/mammals/nleb/index.html</a>).

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 atjohn.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 <a href="https://doi.org/10.2016/journal.o

Sincerely,

Scott Pruitt
Acting Field Office Supervisor

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

Office of Real Estate

Paul R. Baldridge, Chief 2045 Morse Road – Bldg. E-2 Columbus, OH 43229 Phone: (614) 265-6649 Fax: (614) 267-4764

September 20, 2018

Megan McLaughlin Cardno 121 Continental Drive Newark, Delaware 19713

Re: 18-880; Alamo Solar Farm

**Project:** The proposed project involves the construction of a 90-megawatt alternating current in generating capacity photovoltaic solar farm.

**Location:** The proposed project is located in Gasper and Washington Townships, Preble 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 records at or within a one-mile radius of the project area:

Sloan's crayfish (*Orconectes sloanii*), State threatened Woodland Trails 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. Additional comments on some of the features may be found in pertinent sections below.

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 range of the Indiana bat (Myotis sodalis), a state endangered and federally endangered species. The following species of trees have relatively high value as potential Indiana bat roost trees to include: shagbark hickory (Carya ovata), shellbark hickory (Carya laciniosa), bitternut hickory (Carya cordiformis), black ash (Fraxinus nigra), green ash (Fraxinus pennsylvanica), white ash (Fraxinus americana), shingle oak (Quercus imbricaria), northern red oak (*Quercus rubra*), slippery elm (*Ulmus rubra*), American elm (*Ulmus* americana), eastern cottonwood (Populus deltoides), silver maple (Acer saccharinum), sassafras (Sassafras albidum), post oak (Quercus stellata), and white oak (Quercus alba). Indiana bat roost trees consists of trees that include dead and dying 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 suitable trees must be cut during the summer months, the DOW recommends a net survey be conducted between May 15 and August 15, prior to any cutting. Net surveys should incorporate either nine net nights per square 0.5 kilometer of project area, or four net nights per kilometer for linear projects. If no tree removal is 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 federally threatened snake species. The eastern massasauga uses a range of habitats including wet prairies, fens, and other wetlands, as well as drier upland habitat. Due to the location, the type of habitat present at the project site and within the vicinity of the project area, this project is not likely to impact this species.

The project is within the range of the Sloan's crayfish (*Orconectes sloanii*), a state threatened species. Due to the location, 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 John Kessler at (614) 265-6621 if you have questions about these comments or need additional information.

John Kessler ODNR Office of Real Estate 2045 Morse Road, Building E-2 Columbus, Ohio 43229-6693 John.Kessler@dnr.state.oh.us Alamo Solar Project

APPENDIX

C

RTE SPECIES INFORMATION

**IPaC** 

**U.S. Fish & Wildlife Service** 

# IPaC resource list

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

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

### Location

Preble County, Ohio



### Local office

Ohio Ecological Services Field Office

**4** (614) 416-8993

**(614)** 416-8994

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

# Endangered species

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

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

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

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

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

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

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact <u>NOAA Fisheries</u> for <u>species under their jurisdiction</u>.

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

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

### **Mammals**

NAME STATUS

Indiana Bat Myotis sodalis

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

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

Endangered

Northern Long-eared Bat Myotis septentrionalis

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

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

No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/9045 Threatened

### Reptiles

NAME STATUS

**Eastern Massasauga (=rattlesnake)** Sistrurus catenatus No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/2202 **Threatened** 

### Critical habitats

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

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

# Migratory birds

Certain birds are protected under the Migratory Bird Treaty  $Act^{1}$  and the Bald and Golden Eagle Protection  $Act^{2}$ .

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described <u>below</u>.

- 1. The Migratory Birds Treaty Act of 1918.
- 2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

Birds of Conservation Concern <a href="http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php">http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php</a>

- Measures for avoiding and minimizing impacts to birds http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/ conservation-measures.php
- Nationwide conservation measures for birds http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf

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

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

NAME

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

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

Breeds Apr 20 to Aug 20

### **Probability of Presence Summary**

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

#### Probability of Presence (■)

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

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

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

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

#### Breeding Season (

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

#### Survey Effort (1)

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

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

#### No Data (-)

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

#### **Survey Timeframe**

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



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

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

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

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

The Migratory Bird Resource List is comprised of USFWS <u>Birds of Conservation Concern (BCC)</u> and other species that may warrant special attention in your project location.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11/7/2018

If your project has the potential to disturb or kill eagles, you may need to <u>obtain a permit</u> to avoid violating the Eagle Act should such impacts occur.

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

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



### Wildlife refuges and fish hatcheries

REFUGE AND FISH HATCHERY INFORMATION IS NOT AVAILABLE AT THIS TIME.

# Wetlands in the National Wetlands Inventory

Impacts to <u>NWI wetlands</u> and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local <u>U.S. Army Corps of Engineers District</u>.

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

This location overlaps the following wetlands:

FRESHWATER EMERGENT WETLAND

PEM1Fh

PEM1A

FRESHWATER FORESTED/SHRUB WETLAND

PFO1A

FRESHWATER POND

**PUBGh** 

**RIVERINE** 

R5UBH

R4SBC

A full description for each wetland code can be found at the National Wetlands Inventory website

#### **Data limitations**

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

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

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

#### Data exclusions

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

#### **Data precautions**

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

FOR CONSUL

### Ohio

# County Distribution of Federally-Listed Threatened, Endangered, Proposed, and Candidate Species January 29, 2018

County	Species	Status	Habitat
Adams	Indiana bat (Myotis sodalis)	Endangered	Hibernacula = Caves and mines; Maternity and foraging habitat = small stream corridors with well developed riparian woods; upland forests
	Northern long-eared bat Myotis septentrionalis	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During late spring and summer roosts and forages in upland forests.
	Fanshell (Cyprogenia stegaria) (=C. irrorata)	Endangered	Found in areas of packed sand and gravel at locations in a good current
	Pink mucket pearlymussel (Lampsilis abrupta)	Endangered	The lower Ohio River and its larger tributaries
	Rayed bean (Villosa fabalis)	Endangered	Smaller, headwater creeks, but they are sometimes found in large rivers
	Sheepnose (Plethobasus cyphyus)	Endangered	Shallow areas in larger rivers and streams
	Snuffbox (Epioblasma triquetra)	Endangered	Small to medium-sized creeks and some larger rivers, in areas with a swift current
	Running buffalo clover (Trifolium stoloniferum)	Endangered	Disturbed bottomland meadows; disturbed sites that have shade during part of each day
Allen	Indiana bat (Myotis sodalis)	Endangered	Hibernacula = Caves and mines; Maternity and foraging habitat = small stream corridors with well developed riparian woods; upland forests
	Northern long-eared bat Myotis septentrionalis	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During late spring and summer roosts and forages in upland forests.
Ashland	Indiana bat (Myotis sodalis)	Endangered	Hibernacula = Caves and mines; Maternity and foraging habitat = small stream corridors with well developed riparian woods; upland forests
	Northern long-eared bat Myotis septentrionalis	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During late spring and summer roosts and forages in upland forests.
Ashtabula	Indiana bat (Myotis sodalis)	Endangered	Hibernacula = Caves and mines; Maternity and foraging habitat = small stream corridors with well developed riparian woods; upland forests
	Northern long-eared bat Myotis septentrionalis	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During late spring and summer roosts and forages in upland forests.

Preble	Indiana bat (Myotis sodalis)	Endangered	Hibernacula = Caves and mines; Maternity and foraging habitat = small stream corridors with well developed riparian woods; upland forests		
	Northern long-eared bat Myotis septentrionalis	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During late spring and summer roosts and forages in upland forests.		
	Eastern massasauga (Sistrurus catenatus)	Threatened	Wetlands and adjacent uplands		
Putnam	Indiana bat (Myotis sodalis	Endangered	Hibernacula = Caves and mines; Maternity and foraging habitat = small stream corridors with well developed riparian woods; upland forests		
	Northern long-eared bat Myotis septentrionalis	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During late spring and summer roosts and forages in upland forests.		
Richland	Indiana bat (Myotis sodalis	Endangered	Hibernacula = Caves and mines; Maternity and foraging habitat = small stream corridors with well developed riparian woods; upland forests		
	Northern long-eared bat Myotis septentrionalis	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During late spring and summer roosts and forages in upland forests.		
	Eastern massasauga (Sistrurus catenatus)	Threatened	Wetlands and adjacent uplands		
Ross	Indiana bat (Myotis sodalis	Endangered	Hibernacula = Caves and mines; Maternity and foraging habitat = small stream corridors with well developed riparian woods; upland forests		
	Northern long-eared bat Myotis septentrionalis	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During late spring and summer roosts and forages in upland forests.		
	Clubshell (Pleurobema clava)	Endangered	Found in coarse sand and gravel areas of runs and riffles within streams and small rivers		
	Northern riffleshell (Epioblasma torulosa rangiana)	Endangered	Large streams and small rivers in firm sand of riffle areas; also occurs in Lake Erie		
	Rayed bean (Villosa fabalis)	Endangered	Smaller, headwater creeks, but they are sometimes found in large rivers		
	Snuffbox (Epioblasma triquetra)	Endangered	Small to medium-sized creeks and some larger rivers, in areas with a swift current		
	Running buffalo clover (Trifolium stoloniferum)	Endangered	Disturbed bottomland meadows; disturbed sites that have shade during part of each day		
Sandusky	Indiana bat (Myotis sodalis	Endangered	Hibernacula = Caves and mines; Maternity and foraging habitat = small stream corridors with well developed riparian woods; upland forests		
	Northern long-eared bat Myotis septentrionalis	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During late spring and summer roosts and forages in upland forests.		

#### PREBLE COUNTY

State Status	Federal Status	County	Category	Species	CommonName	Sensitive Species	Most Recent Record	FWS
Endangered Endangered	Endangered Candidate	Preble Preble	Mammal Reptile - Snake	Myotis sodalis Sistrurus catenatus catenatus	Indiana Myotis Eastern Massasauga	Yes Yes	2002	*
Threatened		Preble	Invert decapod	Orconectes (Rhoadesius) sloanii	Sloan's Crayfish	No	2005	
Species of Concern		Preble	Amphibian - Frog / Toad	Acris crepitans crepitans	Eastern Cricket Frog	No	2012	
Species of Concern		Preble	Fish	Etheostoma microperca	Least Darter	No	2005	
Species of Concern		Preble	Invert fw bivalve	Lasmigona compressa	Creek Heelsplitter	No	1885	
Species of Concern		Preble	Invert fw bivalve	Ptychobranchus fasciolaris	Kidneyshell	No	1983	
Species of Concern		Preble	Mammal	Eptesicus fuscus	Big Brown Bat	No	2002	
Species of Concern		Preble	Mammal	Lasiurus borealis	Red Bat	No	1969	
Species of Concern		Preble	Mammal	Microtus pinetorum	Woodland Vole	No	1925	
Species of Concern		Preble	Mammal	Myotis lucifugus	Little Brown Bat	No	2002	
Species of Concern	Threatened	Preble	Mammal	Myotis septentrionalis	Northern Long-eared Bat	No	2002	
Species of Concern		Preble	Mammal	Peromyscus maniculatus	Deer Mouse	No	1981	
Species of Concern		Preble	Mammal	Synaptomys cooperi	Southern Bog Lemming	No	1968	
Species of Concern		Preble	Mammal	Taxidea taxus	Badger	No	2008	
Species of Concern		Preble	Reptile - Turtle	Terrapene carolina carolina	Eastern Box Turtle	No	2007	

#### **Preble County**

			State	Federal
Scientific Name	Common Name	Last Observed	Status	Status
Carex mesochorea	Midland Sedge	1988-06-07	Т	
Ptychomitrium drummondii	Drummond's Ptychomitrium	1981-10-16	Χ	
Triphora trianthophora	Three-birds Orchid	2014-08-15	Р	
Viburnum molle	Soft-leaved Arrow-wood	2004-08-24	Т	



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

#### Status:

X = Extirpated

E = Endangered

T = Threatened

 $P = Potentially\ Threatened$ 

List Created: July 2016



## **OHIO'S LISTED SPECIES**

WILDLIFE THAT ARE CONSIDERED TO BE ENDANGERED, THREATENED, SPECIES OF CONCERN, SPECIAL INTEREST, EXTIRPATED, OR EXTINCT IN OHIO



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in

Case No(s). 18-1578-EL-BGN

Summary: Application Exhibit G (Part 2 of 7) electronically filed by Mr. Michael J. Settineri on behalf of Alamo Solar I, LLC