

Attachment G: Species Consultation

- ODNR Survey Effort Letter 4/25/18
- ODNR Survey Effort Letter 8/17/17
- ODNR Review Letter 11/21/12
- USFWS Review Letter 10/24/12
- ODNR Survey Effort Letter 2/25/09
- USFWS Project Review Letter 8/3/08
- IPaC Resource List - December 2018

Appendix G -1: ODNR Survey Effort Letter 4/25/18



Ohio Department of Natural Resources

JOHN R. KASICH, GOVERNOR

JAMES ZEHRINGER, DIRECTOR

Ohio Division of Wildlife

Michael R. Miller, Chief
2045 Morse Rd., Bldg. G
Columbus, OH 43229-6693
Phone: (614) 265-6300

April 25, 2018

To all interested parties:

Based upon the revised project boundary map received April 2018, the Ohio Department of Natural Resources Division of Wildlife (DOW) has prepared initial survey recommendations for the proposed Seneca project located in Seneca, Huron, and Crawford counties regarding wildlife species.

Currently the project falls within regions of the state that DOW has identified as needing extensive monitoring efforts based on GIS analysis of the site. However, previous DOW recommendations have determined the habitat is not what DOW considers high-quality stopover habitat for migrating passerines and waterfowl. Therefore, the proposed facility was classified as a "moderate" site under the current protocols. If the developer decides to amend the current boundaries, the DOW will revise our survey recommendations.

State-listed plant species occur in Seneca, Huron, and Crawford counties and the list can be found here: <http://wildlife.ohiodnr.gov/species-and-habitats/state-listed-species/state-listed-species-by-county#plants>. Additional surveys may be warranted to determine presence of state-listed species if construction will impact aquatic or wetland habitat. Once the turbine, road, pad and other infrastructure locations have been determined, please consult with DOW to determine if such surveys are needed.

The attached table summarizes the types and level of survey effort recommended by the DOW. Results from these studies will help assess the potential impact the turbines may pose and will influence our recommendations to the Ohio Power Siting Board.

Monitoring should follow those methods described within the "On-shore Bird and Bat Pre- and Post-Construction Monitoring Protocol for Commercial Wind Energy Facilities in Ohio."

If you have any questions, please feel free to contact me at erin.hazelton@dnr.state.oh.us or 614.265.6349.

A handwritten signature in blue ink that reads "ER Hazelton". The signature is stylized with a large "E" and "R" and a cursive "Hazelton".

Erin Hazelton
Ohio Division of Wildlife
2045 Morse Road
Columbus, Ohio 43229

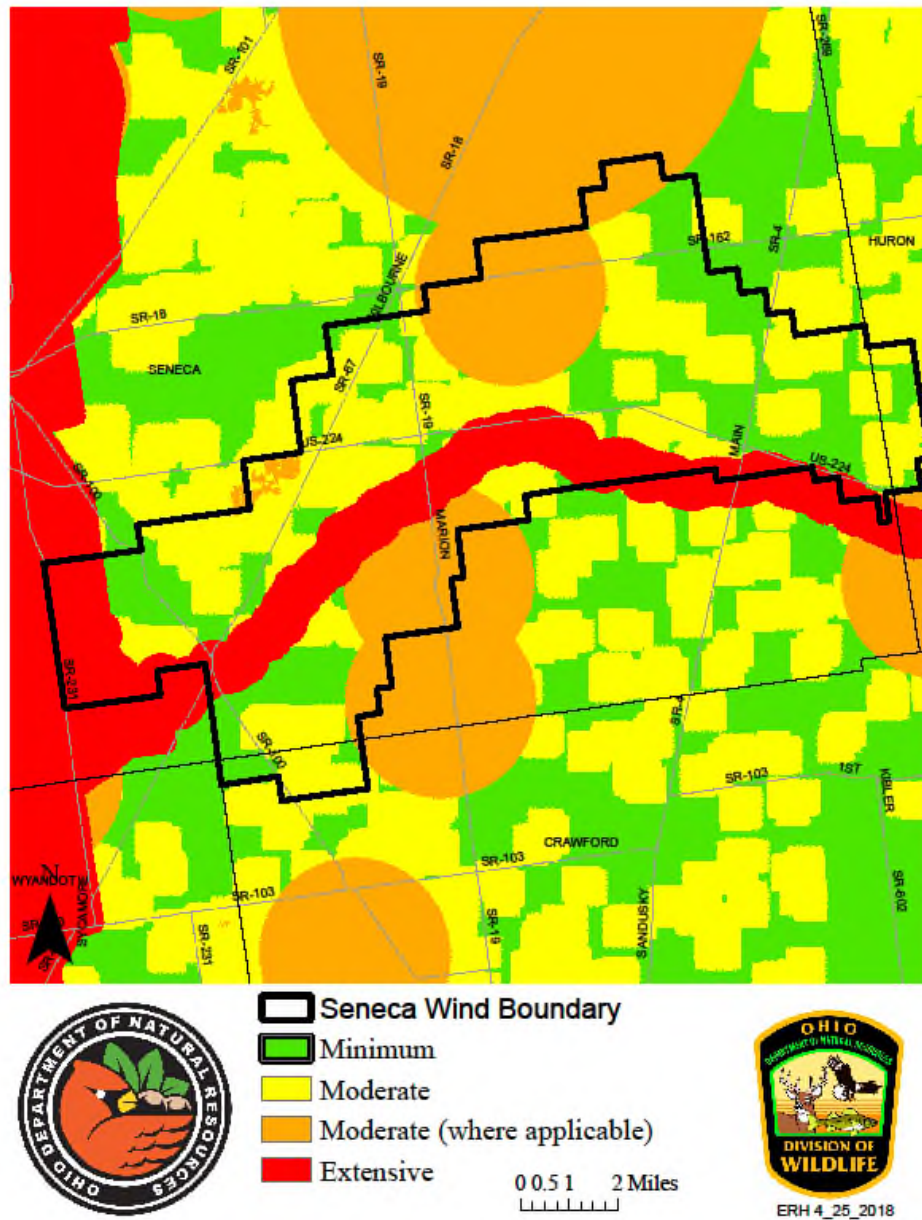
cc: Mr. Stuart Siegfried, Ohio Power Siting Board
Mr. Grant Zeto, Ohio Power Siting Board
Mr. Ashton Holderbaum, Ohio Power Siting Board
Ms. Megan Seymour, United States Fish and Wildlife Service
Ms. Kate Haley Parsons, DOW

Seneca Wind Project (April 2018)

Survey type

Breeding bird	Breeding bird surveys should be conducted at all sites. The number of survey points may be based on the amount of available habitat, or twice the maximum number of turbines proposed for the site. If turbines are placed in agricultural land, this requirement may be waived by DOW after reviewing the proposed turbine locations.
Raptor nest searches	Nest searches should occur on and within a 1-mile buffer of the proposed facility.
Raptor nest monitoring	Please consult with USFWS on bald eagle nests located within the search area. Nests should be monitored to assess daily bird activity. Should any additional nests of a protected species of raptor be located during nest searches, monitoring should commence as outlined within DOW's monitoring protocols.
Bat acoustic monitoring	To be conducted at all meteorological towers.
Passerine migration survey points	26
Diurnal bird/raptor migration survey points	1
Sandhill crane migration (same points as raptor migration)	NS
Owl playback survey points	NS
Barn owl survey points	NS
Bat mist-netting survey points	51
Nocturnal marsh bird survey points	Survey points on Silver Creek WA, Honey Creek, and Sandusky River, as per protocols
Waterfowl survey points	Survey points for Silver Creek WA, Honey Creek, and Sandusky River, as per protocols
Shorebird migration survey points	NS
Radar monitoring locations	NS
Aquatic species surveys	This requirement may be waived by DOW after reviewing the proposed turbine/infrastructure locations.
Wetland species surveys	This requirement may be waived by DOW after reviewing the proposed turbine/infrastructure locations.

NS = Not required based on the lack of suitable habitat



Survey effort map with the revised boundary for the proposed Seneca project (April 2018).

Appendix G -2: ODNR Survey Effort Letter 8/17/17



Ohio Department of Natural Resources

JOHN R. KASICH, GOVERNOR

JAMES ZEHRINGER, DIRECTOR

Ohio Division of Wildlife

Michael R. Miller, Chief
2045 Morse Rd., Bldg. G
Columbus, OH 43229-6693
Phone: (614) 265-6300

August 17, 2017

To all interested parties:

Based upon the revised project boundary map received July 2017, the Ohio Department of Natural Resources Division of Wildlife (DOW) has prepared initial survey recommendations for the proposed Seneca project located in Seneca County regarding wildlife species.

Currently the project falls within regions of the state that DOW has identified as needing extensive monitoring efforts based on GIS analysis of the site. However, previous DOW recommendations have determined the habitat is not what DOW considers high-quality stopover habitat for migrating passerines and waterfowl. Therefore, the proposed facility was classified as a "moderate" site under the current protocols. If the developer decides to amend the current boundaries, the DOW will revise our survey recommendations.

State-listed plant and animal species occur in Seneca County and the list can be found here: <http://wildlife.ohiodnr.gov/species-and-habitats/state-listed-species/state-listed-species-by-county#plants>. Additional surveys may be warranted to determine presence of state-listed species if construction will impact suitable habitat. Once the turbine locations have been determined, please consult with DOW to determine if such surveys are needed.

The attached table summarizes the types and level of survey effort recommended by the DOW. Results from these studies will help assess the potential impact the turbines may pose and will influence our recommendations to the Ohio Power Siting Board.

Monitoring should follow those methods described within the "On-shore Bird and Bat Pre- and Post-Construction Monitoring Protocol for Commercial Wind Energy Facilities in Ohio."

If you have any questions, please feel free to contact me at erin.hazelton@dnr.state.oh.us or 614.265.6349.

A handwritten signature in blue ink, appearing to read "ER Hazelton", with a stylized flourish at the end.

Erin Hazelton
Ohio Division of Wildlife
2045 Morse Road
Columbus, Ohio 43229

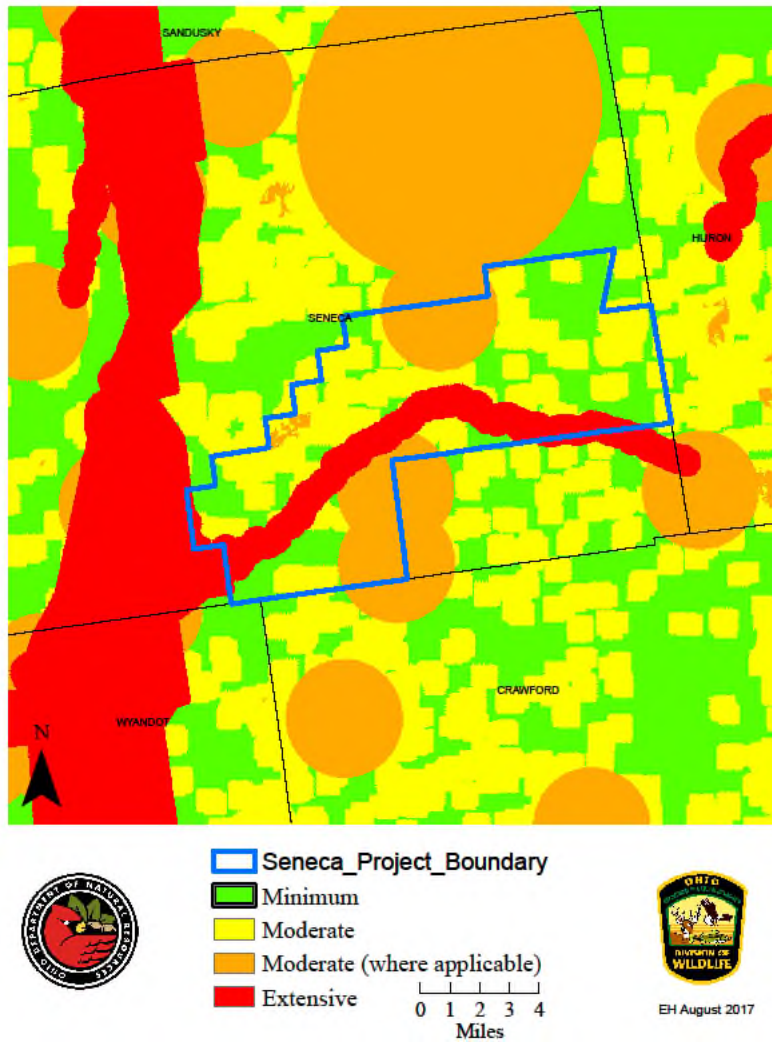
cc: Mr. Stuart Siegfried, Ohio Power Siting Board
Mr. Grant Zeto, Ohio Power Siting Board
Mr. Ashton Holderbaum, Ohio Power Siting Board
Ms. Megan Seymour, United States Fish and Wildlife Service
Ms. Kate Haley Parsons, DOW

Seneca Wind Project (August 2017)

Survey type

Breeding bird	Breeding bird surveys should be conducted at all sites. The number of survey points may be based on the amount of available habitat, or twice the maximum number of turbines proposed for the site. If turbines are placed in agricultural land, this requirement may be waived by DOW after reviewing the proposed turbine locations.
Raptor nest searches	Nest searches should occur on and within a 1-mile buffer of the proposed facility.
Raptor nest monitoring	Please consult with USFWS on bald eagle nests located within the search area. Nests should be monitored to assess daily bird activity. Should any additional nests of a protected species of raptor be located during nest searches, monitoring should commence as outlined within DOW's monitoring protocols.
Bat acoustic monitoring	To be conducted at all meteorological towers.
Passerine migration survey points	26
Diurnal bird/raptor migration survey points	1
Sandhill crane migration (same points as raptor migration)	NS
Owl playback survey points	NS
Barn owl survey points	NS
Bat mist-netting survey points	52
Nocturnal marsh bird survey points	Survey points on Silver Creek WA, Honey Creek, and Sandusky River, as per protocols
Waterfowl survey points	Survey points for Silver Creek WA, Honey Creek, and Sandusky River, as per protocols
Shorebird migration survey points	NS
Radar monitoring locations	NS
Aquatic species surveys	This requirement may be waived by DOW after reviewing the proposed turbine locations.
Wetland species surveys	This requirement may be waived by DOW after reviewing the proposed turbine locations.

NS = Not required based on the lack of suitable habitat



Survey effort map with the revised boundary for the proposed Seneca project (August 2017).

Appendix G -3: ODNR Review Letter 11/21/12



Ohio Department of Natural Resources

JOHN R. KASICH, GOVERNOR

JAMES ZEHRINGER, DIRECTOR

Ohio Division of Wildlife

Scott Zody, Chief
2045 Morse Rd., Bldg. G
Columbus, OH 43229-6693
Phone: (614) 265-6300

November 21, 2012

Dear Ms. Abernethy:

This letter is in response to your request for an updated review using the Ohio Division of Wildlife's Biodiversity Database (OBD), for the proposed Exelon Generation wind facility in Seneca County. The proposed project is for approximately 58 turbines (150 MW). The Division of Wildlife supports the development of wind power as an alternative energy source; however wind turbines can have a negative impact on wildlife if not sited, designed, and operated to minimize and avoid this impact.

The project is within 5 miles of several Indiana bat (*Myotis sodalis*) maternity roosts. Indiana bats are state and federally endangered species, therefore coordination should continue with ODNR Wind Energy Biologist on how best to proceed with the project and minimize to the maximum extent possible any take of this endangered species.

The project is within the range of the bald eagle (*Haliaeetus leucocephalus*), a state threatened species. The Ohio Biodiversity Database has 16 records for Bald Eagle nests within the project area and a ten mile radius. There are 3 nests directly within the project area.

The project is within the range of the rayed bean (*Villosa fabalis*), a state endangered and federal endangered mussel species. If there is a potential habitat for mussels near the proposed project area, it may be necessary mussel survey in the project area. Surveys must be conducted within six months before any in-water disturbance occurs, by a malacologist approved by the DOW. If no in-water work is proposed, the project is not likely to impact this species.

The project is within the range of the bobcat (*Lynx rufus*) and the black bear (*Ursus americanus*), state endangered species. Due to the mobility of these species, the project is not likely to have an impact on these species.

The project is within the range of the American bittern (*Botaurus lentiginosus*), a state endangered bird. A statewide survey has not been completed for this species. A lack of records does not indicate the species is absent from the area. Nesting bitterns prefer large undisturbed wetlands that have scattered small pools amongst dense vegetation. They occasionally occupy bogs, large wet meadows, and dense shrubby swamps. If this type of habitat will be impacted, construction must be avoided in this habitat during the species'



Ohio Department of Natural Resources

JOHN R. KASICH, GOVERNOR

JAMES ZEHRINGER, DIRECTOR

nesting period of May 1 to July 31. Additionally, minimization efforts should occur during the operation of the facility to avoid take of the species.

The project is within the range of the king rail (*Rallus elegans*), a state endangered bird. A statewide survey has not been completed for this species. A lack of records does not indicate the species is absent from the area. Nests for this species are deep bowls constructed out of grass and usually hidden very well in marsh vegetation. Therefore, if this type of habitat will be impacted, construction must be avoided in this habitat during the species' nesting period of May 1 to August 1. Additionally, minimization efforts should occur during the operation of the facility to avoid take of the species.

The project is within the range of the Northern harrier (*Circus cyaneus*), a state endangered bird. A statewide survey has not been completed for this species. A lack of records does not indicate the species is absent from the area. This is a common migrant and winter species. Nesters are much rarer, although they occasionally breed in large marshes and grasslands. Harriers often nest in loose colonies. The female builds a nest out of sticks on the ground, often on top of a mound. Harriers hunt over grasslands. If this type of habitat will be impacted, construction must not occur in this habitat during the species' nesting period of May 15 to August 1.

The project is within the range of the sandhill crane (*Grus canadensis*), a state endangered species. A statewide survey has not been completed for this species. A lack of records does not indicate the species is absent from the area. Sandhill cranes are primarily a wetland-dependent species. On their wintering grounds, they will utilize agricultural fields. On breeding grounds they require a rather large tract of wet meadow, shallow marsh, or bog for nesting. Therefore, if grassland, prairie, or wetland habitat will be impacted, construction must not occur in this habitat during the species' nesting period of April 1 to September 1.

The project is within the range of the trumpeter swan (*Cygnus buccinator*), a state endangered bird. A statewide survey has not been completed for this species. A lack of records does not indicate the species is absent from the area. Trumpeter swans prefer large marshes and lakes ranging in size from 40 to 150 acres. They like shallow wetlands one to three feet deep with a diverse mix of plenty of emergent and submergent vegetation and open water. Therefore, if this type of wetland habitat will be impacted, construction must be avoided in this habitat during the species' nesting period of May 1 to August 1.

The project is within the range of the *Melanchra assimilis*, a state endangered moth, and the *Hypocoena enervata*, a state endangered moth. Due to the habitat used by these species and the type of work proposed, the project is not likely to impact these species.

The OBD shows there are eight managed areas in close proximity the project area, owned and/or managed by Heidelberg College (Wickwire-Shade Preserve), the Seneca Co. Park



Ohio Department of Natural Resources

JOHN R. KASICH, GOVERNOR

JAMES ZEHRINGER, DIRECTOR

District (Bowen Nature Preserve, Garlo Heritage Nature Preserve and Forrest Nature Preserve), the ODNR Division of Wildlife (Willard Marsh Wildlife Area and Silver Creek Marsh Wildlife Area), Natural Areas & Preserves (Howard Collier State Nature Preserve) and the Scenic Rivers Program (Sandusky Scenic River St. John's Dam). These areas should be considered as sensitive areas, thus avoided during final turbine selection.

Our inventory program has not completely surveyed Ohio and relies on information supplied by many individuals and organizations. Therefore, a lack of records for any particular area is not a statement that rare species or unique features are absent from that area.

The Division of Wildlife appreciates the opportunity to provide another review this project, and encourages Exelon to continue to coordinate this project with ODNR Wind Energy Biologist. Additionally, it is ODNR's recommendation that Exelon sign ODNR's *Cooperative Agreement*. If Exelon Renewables elects to not sign this agreement, the company will assume the liability of the potential risks that wind facility turbines may have on birds and bats during operation of the facility. Please contact me with any further questions you may have.

Sincerely,

A handwritten signature in blue ink that reads "Jennifer L. Norris".

Jennifer L. Norris
Wildlife Research Biologist
ODNR Wind Energy Biologist
ODNR, Division of Wildlife
2045 Morse Road, Building G
Columbus, OH 43229-6693
Tel: 614 265-6349
Email: jennifer.norris@dnr.state.oh.us

cc: Mr. Stuart Siegfried, Ohio Power Siting Board
Mr. Don Rostofer, Ohio Power Siting Board
Mr. Keith Lott, U.S. Fish and Wildlife Service

Appendix G -4: USFWS Review Letter 10/24/12



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

October 24, 2012

Yvonne F. Abernethy
6330 Woodside Executive Court
Aiken, SC
29803

TAILS : 31420-2010-TA-0442

Re: Seneca Project - Request for Update on Project Review

Dear Ms. Abernethy:

This letter is in response to your request for an updated review of the proposed Exelon Generation wind facility for Seneca County, Ohio. The proposed project is for approximately 58 wind turbines (150 MW) and associated infrastructure (collection lines, access roads, substation, etc.). The Service previously provided initial recommendations for the proposed project in a July 3, 2008 letter. We understand the proposed project consists predominately of active agricultural land (79%) and with scattered wooded and grassland habitats (17%). We encourage and appreciate your early coordination with ODNR and the Service, and recommend continued collaboration on this project to ensure wildlife issues are fully and appropriately addressed.

The following comments are being provided pursuant to the Endangered Species Act (ESA), Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, and Fish and Wildlife Act of 1956. This information is being provided to assist you in making an informed decision regarding wildlife issues, site selection, project design, and compliance with applicable laws. The Service has been working closely with ODNR Division of Wildlife to develop recommended survey protocols and site evaluations that will satisfy both State and Federal wildlife statutes, and this letter describes these measures, in part. The protocols, "On-Shore Bird and Bat Pre- and Post-Construction Monitoring Protocol for Commercial Wind Energy Facilities in Ohio" are available on ODNR's website at:

http://www.dnr.state.oh.us/Home/wild_resourcessubhomepage/ResearchandSurveys/WildlifeWind/tabid/21467/Default.aspx

The Service supports the development of wind power as an alternative energy source; however, wind farms can have negative impacts on wildlife and their habitats if not sited and designed with potential wildlife and habitat impacts in mind. Selection of the best sites for turbine placement is enhanced by avoiding sites with known, high concentrations of birds and/or bats passing within the rotor-swept area of the turbines or where the effects of habitat fragmentation will be detrimental. In support of wind power generation as a wildlife-friendly, renewable source of power, development sites with comparatively low bird, bat and other wildlife values, would be preferable and would have relatively lower impacts on wildlife.

WATER RESOURCE COMMENTS:

The Service recommends that impacts to streams and wetlands be avoided and buffers surrounding these systems be preserved. Streams and wetlands provide valuable habitat for fish and wildlife resources, and the filtering capacity of wetlands helps to improve water quality. Naturally vegetated buffers surrounding these systems are also important in preserving their wildlife-habitat and water quality-enhancement properties. Furthermore, forested riparian systems (wooded areas adjacent to streams) provide important stopover habitat for birds migrating through the region. The proposed activities do not constitute a water-dependent activity, as described in the Section 404(b)(1) guidelines, 40 CFR 230.10. Therefore, practicable alternatives that do not impact aquatic sites are presumed to be available, unless clearly demonstrated otherwise. Therefore, before applying for a Section 404 permit, the client should closely evaluate all project alternatives that do not affect streams or wetlands, and if possible, select an alternative that avoids impacts to aquatic resources. If water resources will be impacted, the Buffalo Corps of Engineers should be contacted about the need for a Section 404 permit.

ENDANGERED SPECIES COMMENTS:

Because of the potential for wind power projects to impact endangered bird, bat, or other listed species, they are subject to the Endangered Species Act (16 U.S.C. 1531-1544) section 9 provisions governing "take", similar to any other development project. Take incidental to a lawful activity may be authorized through the initiation of formal consultation if a Federal agency is involved; or if a Federal agency, Federal funding, or a Federal permit are not involved in the project, an incidental take permit pursuant to section 10(a)(1)(B) of the ESA may be obtained upon completion of a satisfactory habitat conservation plan for the listed species. However, there is no mechanism for authorizing incidental take "after-the-fact."

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. During the 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.

Mist Net Surveys: Based on ODNR's "On-Shore Bird and Bat Pre- and Post-Construction Monitoring Protocol for Commercial Wind Energy Facilities in Ohio", a total of 15 mist net surveys have been requested for the proposed project boundary. We understand surveys were conducted July 6- July 29, 2009. During these surveys 6 species and a total of 399 individual bats were captured over 120 net nights. Species included 160 big brown (*Eptesicus fuscus*), 62 northern long-eared (*Myotis septentrionalis*), 29 eastern red (*Lasiurus borealis*), 133 little brown (*Myotis lucifugus*), 10 hoary (*Lasiurus cinereus*), and 3 tri-colored (*Perimyotis subflavus*) bats. While no Indiana bats were captured during surveys for this project, several surveys conducted in Seneca and Crawford Counties in 2011 did capture Indiana bats.

Based upon the proximity of this project to those capture sites, the Service believes that take of Indiana bats from the proposed project is likely to occur during the maternity season. In addition, based upon several documented Indiana bat mortalities during the fall migration season, the Service also believes there is potential for take during the spring and fall migration season. Therefore, as discussed during the meeting on September 27, 2012 meeting, the Service recommends that if this project proposes to move forward, the developer complete a Habitat Conservation Plan (HCP), either individually or as part of the Regional HCP effort, and obtain an associated Incidental Take Permit.

The proposed project lies within the range of the **rayed bean** (*Villosa fabalis*), a Federally listed endangered species. The rayed bean is generally known from smaller, headwater creeks, but records exist in larger rivers. They are usually found in or near shoal or riffle areas, and in the shallow, wave-washed areas of lakes. Substrates typically include gravel and sand, and they are often associated with, and buried under the roots of, vegetation, including water willow (*Justicia americana*) and water milfoil (*Myriophyllum* sp.). Should the proposed project directly or indirectly impact any of the habitat types described above, we recommend that a survey be conducted to determine the presence or probable absence of rayed bean mussels in the vicinity of the proposed site. Any survey should be designed and conducted in coordination with the Endangered Species Coordinator for this office.

BALD AND GOLDEN EAGLE COMMENTS:

Bald and golden eagles are included under the Migratory Bird Treaty Act, but are afforded additional legal protection under the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d). The Service recently issued a final rule that authorizes issuance of eagle take permits, where the take to be authorized is associated with otherwise lawful activities. If take of bald eagles is likely, based on the best information available, a bald eagle take permit for this project will be necessary. Raptor nest searches and nest monitoring should be conducted in accordance with ODNR's survey protocols to identify any raptors, including bald eagles that may nest in or near the project area. In addition, the Service has produced Draft Eagle Conservation Plan Guidance (2011; ECP Guidance). The full text of Service guidelines and recommendations are available at the following web address: [Draft Eagle Conservation Plan Guidance \(2011\): http://www.fws.gov/windenergy/docs/ECP_draft_guidance_2_10_final_clean_omb.pdf](http://www.fws.gov/windenergy/docs/ECP_draft_guidance_2_10_final_clean_omb.pdf)

There are 16 bald eagle nests within 10 miles of the project boundary in Seneca County. These nests are within the perimeter that is outlined in Appendix C of the ECP Guidance. Based on this information, we have determined that $\frac{1}{2}$ the inter-nest distance (defined in the ECP Guidance) for this project is 1.87 miles. The Service recommended all nests within 1.87 miles of this project boundary be monitored as well as eagle use of the project areas be assessed to determine if there is potential risk to eagles from the proposed project. The ECP Guidance suggests a way to estimate relative abundance and eagle exposure rates, characterization of the project area nesting population, and eagle migration and concentration areas. The Service has developed a model to predict risk to eagles from wind turbine facilities. Based upon the site specific information collected for this project the model predicts the take of 0.37 bald eagles per year, or approximately one eagle every three years. Therefore, the Service would recommend Exelon obtain take coverage through either an eagle take permit or incorporating eagles as a covered species within a HCP.

COORDINATION OF SURVEY RESULTS:

Please submit survey results to this office for review. Survey results will be interpreted to determine areas with relatively low bat and bird activity and diversity as opposed to areas with relatively high bat and bird activity and diversity. Based on the survey results, we may make recommendations as to turbine

placement and operation; additional consultation under Section 7 or 10 of the Endangered Species Act of 1973, as amended, additional permits under the Bald and Golden Eagle Protection Act, or pre- or post-construction monitoring.

POST CONSTRUCTION MONITORING:

The Service recommends the project be monitored post-construction to determine impacts to migratory birds and bats. A specific post-construction monitoring plan should be prepared and reviewed by the Service and should include a scientifically robust, peer reviewed methodology of mortality surveys. We recommend that the post-construction monitoring protocol be developed based on the results of pre-construction monitoring, and look forward to working with the project proponent to develop this document.

Thank you for the opportunity to provide comments on this proposed project. If you have questions, or if we may be of further assistance in this matter, please contact Keith Lott at extension 31 in this office or by email at Keith_Lott@fws.gov or visit our website at <http://www.fws.gov/midwest/Ohio>.

Sincerely,


 Mary Knapp, Ph.D.
Supervisor

Cc: Ms. Jennifer Norris, ODNR, Columbus, OH
Mr. Stuart Siegfried, OPSB, Columbus, OH

Appendix G -5: ODNR Survey Effort Letter 2/25/09



Ohio Department of Natural Resources

TED STRICKLAND, GOVERNOR

SEAN D. LOGAN, DIRECTOR

Division of Wildlife
David M. Graham, Chief
2045 Morse Rd., Bldg. G
Columbus, OH 43229-6693
Phone: (614) 265-6300

February 25, 2009

To all interested parties,

Though this project area encompasses both portions of Honey Creek, which has previously been identified as a potential migratory corridor, and part of Sandusky River Audubon Important Bird Area, the habitat within the proposed project would not be what the Ohio Department of Natural Resources Division of Wildlife (DOW) considers high quality stopover habitat. Based upon the project area map provided and the site visit conducted on 2/17/09, the DOW has determined that this proposed facility would be classified as a “moderate” site under the current monitoring protocols.

The table below was created based upon the project maps provided and summarizes the types and level of effort recommended by the DOW. Results from these studies will help the Department of Natural Resources assess the potential impact these turbines may pose, and influence our recommendations to the Ohio Power Siting Board. Monitoring should follow those criteria listed within the “On-shore Bird and Bat Pre-Construction Monitoring Protocol for Commercial Wind Energy Facilities in Ohio.”

Project	
Survey type	Seneca County
Breeding bird	Breeding bird surveys should be conducted at all sites. The number of survey points may be based on the amount of available habitat, or twice the maximum number of turbines proposed for the site. Because agricultural land is not considered to be suitable nesting habitat for most species of bird, turbines placed within these types of habitat are exempt of this recommendation.
Raptor nest searches	Nest searches should occur on, and within a 1-mile buffer of the proposed facility.
Raptor nest monitoring	Based upon the revised project boundaries (updated 2/25/09) there are 5 eagle nests located within 2 miles of the proposed project. One nest was found to be active during the site visit; the status of the remaining 4 is unknown. These pairs should be monitored to assess their daily movement patterns.
Bat acoustic monitoring	Acoustic monitoring should be conducted at all

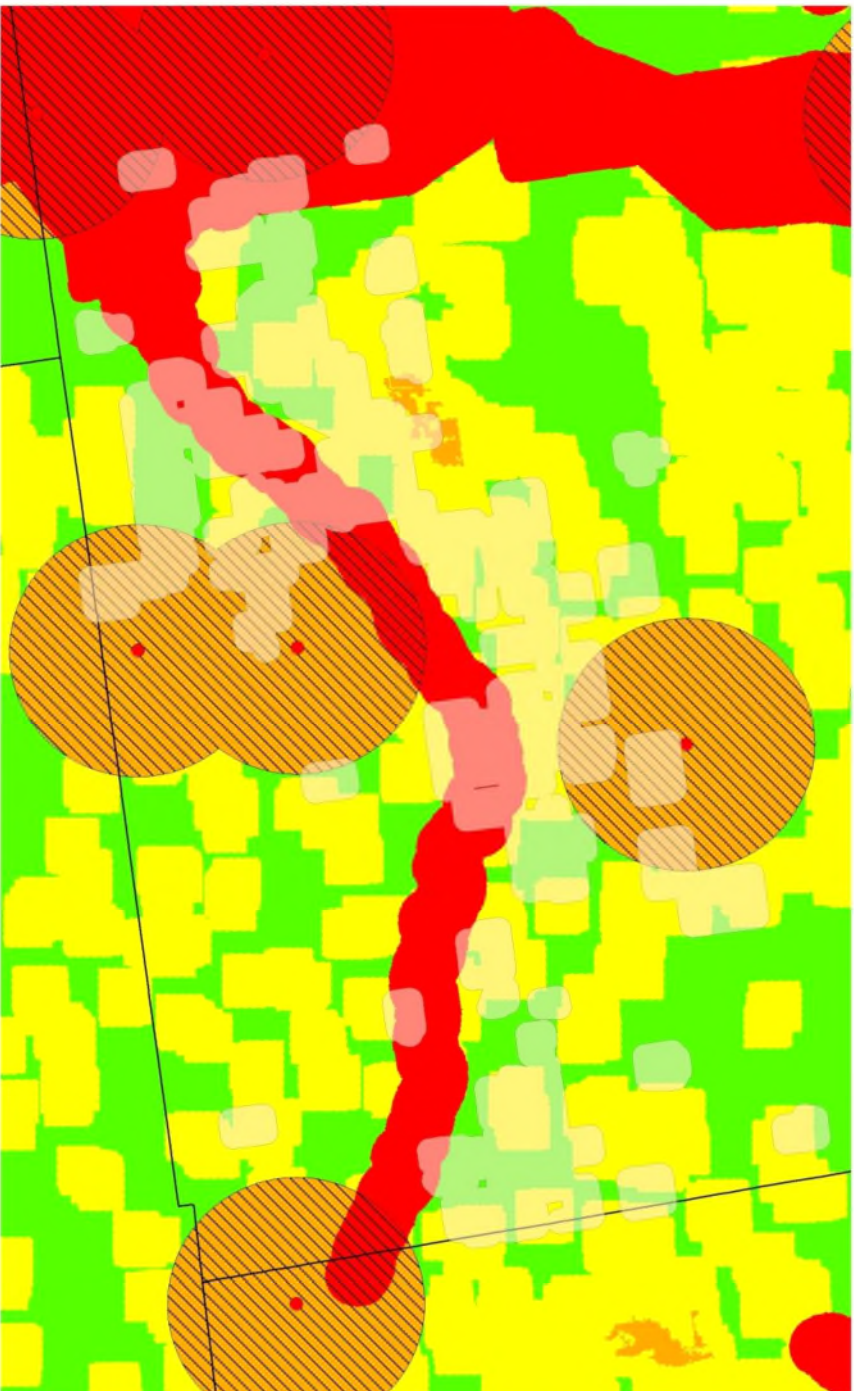
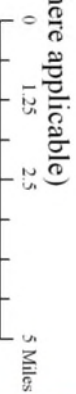
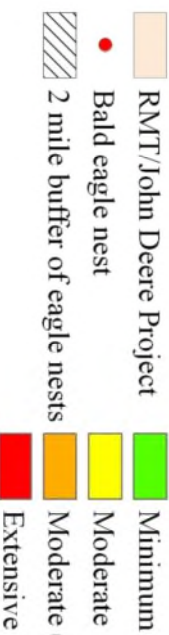
	meteorological towers.
Passerine migration (# of survey points)	15
Diurnal bird/raptor migration (# of survey point)	2
Sandhill crane migration (same points as raptor migration)	NS
Owl playback survey points	NS
Barn owl surveys	NS
Bat mist-netting (# of survey points)	15
Nocturnal marsh bird survey points	NS
Waterfowl survey points	NS
Shorebird migration points	NS
Radar monitoring locations	NS

NS = Not required based on the lack of suitable habitat.

The DNR looks forward to working with you in the future, and thanks you for contacting us early in the process. If you have any questions, please feel free to contact me.

Keith

cc: Mr. Stuart Siegfried, Ohio Power Siting Board
Ms. Megan Seymour, United States Fish and Wildlife Service



Appendix G -6: USFWS Project Review Letter 7/3/08



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
6950 Americana Parkway, Suite H
Reynoldsburg, Ohio 43068-4127

(614) 469-6923 voice
(614) 469-6919 fax

FILE COPY

July 3, 2008

Ms. Megan Martiny
RMT
PO Box 8923
Madison, WI 53708-8923

TAILS# 31420-2008-TA-0762

Dear Ms. Martiny:

This is in response to your letter, dated May 23, 2008, requesting our review of a proposed wind farm, including turbines, access roads, and interconnection lines, in Seneca County, Ohio. The project, proposed by John Deere Renewables, is proposed to be located within an approximately 90-square mile area in the northeast portion of the county, near the borders of Sandusky and Huron Counties. The number of turbines and the location of turbines has not been determined yet. The project area is typically rural and agricultural, with scattered blocks of wildlife habitat often comprised of privately-held woodlots, small streams, and wetland areas.

These comments are being provided pursuant to the Endangered Species Act (ESA), Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, and Fish and Wildlife Act of 1956. This information is being provided to assist you in making an informed decision regarding wildlife issues, site selection, project design, and compliance with applicable laws. The Service has been working closely with the Ohio Department of Natural Resources (ODNR) Division of Wildlife to develop recommended survey protocols and site evaluations that will satisfy both state and federal wildlife statutes, and this letter describes these measures, in part. We strongly recommend that you contact Keith Lott, ODNR (419-433-4601), and solicit review of the project by ODNR, and ensure that the project adheres to ODNR's Draft On-Shore Bird and Bat Pre- and Post-Construction Monitoring Protocol for Commercial Wind Energy Facilities in Ohio.

The Fish and Wildlife Service (Service) supports the development of wind power as an alternative energy source, however, wind farms can have negative impacts on wildlife and their habitats if not sited and designed with potential wildlife and habitat impacts in mind. Selection of the best sites for turbine placement is enhanced by ruling out sites with known, high concentrations of birds and/or bats passing within the rotoswept area of the turbines or where the effects of habitat fragmentation will be detrimental. In support of wind power generation as a wildlife-friendly, renewable source of power, development sites with comparatively low bird, bat and other wildlife values, would be preferable and would have relatively lower impacts on wildlife.

WATER RESOURCE COMMENTS:

The Service recommends that impacts to streams and wetlands be avoided, and buffers surrounding these systems be preserved. Streams and wetlands provide valuable habitat for fish and wildlife resources, and the filtering capacity of wetlands helps to improve water quality. Naturally vegetated buffers surrounding

these systems are also important in preserving their wildlife-habitat and water quality-enhancement properties. Furthermore, forested riparian systems (wooded areas adjacent to streams) provide important stopover habitat for birds migrating through the region. The proposed activities do not constitute a water-dependent activity, as described in the Section 404(b)(1) guidelines, 40 CFR 230.10. Therefore, practicable alternatives that do not impact aquatic sites are presumed to be available, unless clearly demonstrated otherwise. Therefore, before applying for a Section 404 permit, the client should closely evaluate all project alternatives that do not affect streams or wetlands, and if possible, select an alternative that avoids impacts to the aquatic resource. If water resources will be impacted, the Buffalo District of the Corps of Engineers should be contacted for possible need of a Section 404 permit.

ENDANGERED SPECIES COMMENTS:

Because of the potential for wind power projects to impact endangered bird, bat, or other listed species, they are subject to the Endangered Species Act (16 U.S.C. 1531-1544) section 9 provisions governing "take", similar to any other development project. Take incidental to a lawful activity may be authorized through the initiation of formal consultation, if a Federal agency, is involved; or if a Federal agency, Federal funding, or a Federal permit are not involved in the project, an incidental take permit pursuant to section 10(a)(1)(B) of the ESA may be obtained upon completion of a satisfactory habitat conservation plan for the listed species. However, there is no mechanism for authorizing incidental take "after-the-fact."

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. During the 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.

The Service currently has no records for Indiana bats within Seneca County, however this is generally due to an absence of survey data for this area. Suitable summer and possibly hibernation habitat exists within the project area. Additionally, wind power developments within Pennsylvania and West Virginia are known to cause take of relatively large numbers of bats (no Indiana bats to date). Therefore further assessment of the bat community within the project area is warranted to determine if take of Indiana bats (or other bat species) is likely to occur.

Potential hibernacula: One large cave area is known to occur within the project area (Seneca Caverns), and additionally, data from ODNR indicate that karst features are found throughout the project area, but in particular in the northern project area. Seneca Caverns is a park and tourism area that has been modified and its ability to support hibernating bats is questionable. We recommend that the project area be fully evaluated to document any caves/fissures/openings. ODNR's Division of Geological Survey may be helpful in identifying the location of potential caves. Each cave/fissure/opening discovered

during project planning activities should be examined to determine if the features of the area indicate that they are potential hibernation sites for bats. The attached document, "Criteria for Determining if Caves or Abandoned Underground Mines are Potential Hibernacula for the Indiana Bat," provides a bulleted list of the criteria necessary for an area to qualify as a potential hibernaculum, and Service biologists would appreciate the opportunity to visit and evaluate the caves/karst areas within the project area. If any area(s) is determined to be a potential hibernaculum, it should be surveyed in one of two ways: 1) if the potential hibernaculum is safely accessible by human beings, it should be surveyed during the winter to document the presence/absence of hibernating bats of any species, as well as species composition; or 2) if human access is not possible or safe, any area determined to be a potential hibernaculum should be subject to a fall swarming survey between August 1 and September 30 to determine if bats of any species are using the area for swarming or hibernation.

Mist Net Surveys: We request that the extent of forested habitat that supports water features be quantified within the project area. Based on the extent of forested habitat, we recommend that mist net surveys be conducted to document the presence or likely absence of Indiana bats within the project area. Mist net surveys may only be conducted by permitted individuals from the attached list, and must follow standard protocol. The Service's Indiana bat Mist Netting Guidelines (attached) call for two net sites per square km of forested habitat. Particular attention should be given to any woodlots greater than 100 acres in size that support a perennial water source. Service biologists would appreciate the opportunity to visit the project area and to aid in selection of suitable mist net survey locations. Mist net surveys should follow standard Service protocol, as described in the attached document. Mist net surveys should occur between June 15 and July 31 to detect maternity colonies inhabiting the area, as well as to maximize opportunities to detect species diversity. Bat detectors should also be used in conjunction with mist net surveys to maximize detection of species diversity. If an Indiana bat is captured, this office shall be notified within 24 hours, or by the next business day.

Radio Transmitters: Up to four Indiana bats should be fitted with radio transmitters and tracked to roost site(s) and foraging areas until daily activity patterns are fairly well established, or as long as the transmitter remains attached and activated. Preference shall be given to tracking female bats, though one male Indiana bat may be tracked if captured prior to capturing four female Indiana bats. Please see ODNR's recommended survey protocol for additional information on radiotracking non-Indiana bats.

Acoustic Surveys: Acoustic surveys using bat detectors should be completed in conjunction with all mist net and fall swarming surveys, and should be placed on all meteorological towers, as recommended in ODNR's Draft On-Shore Bird and Bat Pre- and Post-Construction Monitoring Protocol for Commercial Wind Energy Facilities in Ohio.

Coordination of Survey Results: Please submit survey results to this office for review. If an Indiana bat is captured, this office must be notified within 24 hours, or by the next business day. Survey results will be interpreted to determine areas with relatively low bat activity/diversity as opposed to areas with relatively high bat activity/diversity. Based on the survey results, we may make recommendations as to turbine placement and operation, additional consultation under Section 7 or 10 of the Endangered Species Act of 1973, as amended, or pre- or post-construction monitoring.

The project lies within the range of the **eastern massasauga** (*Sistrurus catenatus catenatus*), a docile rattlesnake that is declining throughout its national range and is currently a Federal Candidate species. The snake is currently listed as endangered by the State of Ohio. Your proactive efforts to conserve this species now may help avoid the need to list the species under the Endangered Species Act in the future. Due to their reclusive nature, we encourage early project coordination to avoid potential impacts to

massasaugas and their habitat. At a minimum, project evaluations should contain delineations of whether or not massasauga habitat occurs within project boundaries.

The massasauga is often found in or near wet areas, including wetlands, wet prairie, or nearby woodland or shrub edge habitat. This often includes dry goldenrod meadows with a mosaic of early successional woody species such as dogwood or multiflora rose. Wet habitat and nearby dry edges are utilized by the snakes, especially during the spring and fall. Dry upland areas up to 1.5 miles away are utilized during the summer, if available. For additional information on the eastern massasauga, including project management ideas, please visit the following website:

<http://www.fws.gov/midwest/Endangered/lists/candidat.html> or contact this office directly.

MIGRATORY BIRD COMMENTS:

The Migratory Bird Treaty Act (16 U.S.C. 703-712; MBTA) implements four treaties that provide for international protection of migratory birds. The MBTA prohibits taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Department of the Interior. Bald and golden eagles are afforded additional legal protection under the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d). Unlike the Endangered Species Act, neither the MBTA nor its implementing regulations at 50 CFR Part 21, provide for permitting of "incidental take" of migratory birds.

The Service's Office of Law Enforcement serves its mission to protect Federal trust wildlife species, in part, by actively monitoring industries known to negatively impact wildlife, and assessing their compliance with Federal law. These industries include oil/gas productions sites, cyanide heap/leach mining operations, industrial waste water sites, and wind power sites. There is no threshold as to the number of birds incidentally killed by wind power sites, or other industry, past which the Service will seek to initiate enforcement action. However, the Service is less likely to prioritize enforcement action against a site operator that is cooperative in seeking and implementing measures to mitigate takes of protected wildlife.

The Service and ODNR Division of Wildlife have worked together to develop a recommended bird survey protocol for wind turbine projects. Please refer to ODNR's Draft On-Shore Bird and Bat Pre- and Post-Construction Monitoring Protocol for Commercial Wind Energy Facilities in Ohio. Similar to the bat survey results, bird survey results will be interpreted to determine if potential risk to birds is relatively high or low in various portions of the project area. Based on survey results we may make recommendations as to turbine placement and operation, or pre- or post-construction monitoring.

Research into the actual causes of bat and bird collisions with wind turbines is limited. To assist Service field staffs in review of wind farm proposals, as well as aid wind energy companies in developing best practices for siting and monitoring of wind farms, the Service published *Interim Guidelines to Avoid and Minimize Wildlife Impacts from Wind Turbines* (2003). We encourage any company/licensee proposing a new wind farm to consider the following excerpted suggestions from the guidelines in an effort to minimize impacts to migratory birds and bats.

- 1) Pre-development evaluations of potential wind farm sites to be conducted by a team of Federal and/or State agency wildlife professions with no vested interest in potential sites;
- 2) Rank potential sites by risk to wildlife;
- 3) Avoid placing turbines in documented locations of federally-listed species;

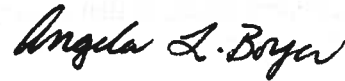
- 4) Avoid locating turbines in known bird flyways or migration pathways, or near areas of high bird concentrations (i.e., rookeries, leks, **refuges, riparian corridors**, etc.);
- 5) Avoid locating turbines near known bat hibernation, breeding, or maternity colonies, in migration corridors, or in flight paths between colonies and feeding areas;
- 6) Configure turbine arrays to avoid potential avian mortality where feasible. Implement storm water management practices that do not create attractions for birds, and maintain contiguous habitat for area-sensitive species;
- 7) Avoid fragmenting large, contiguous tracts of wildlife habitat;
- 8) Use tubular supports with pointed tops rather than lattice supports to minimize bird perching and nesting opportunities;
- 9) If taller turbines (top of rotorswept area is greater than 199 feet above ground level) require lights for aviation safety, the minimum amount of lighting specified by the Federal Aviation Administration (FAA) should be used. Unless otherwise requested by the FAA, only white strobe lights should be used at night, and should be of the minimum intensity and frequency of flashes allowable. Red lights should not be used, as they appear to attract night-migrating birds at a higher rate than white lights;
- 10) Adjust tower height to reduce risk of strikes in areas of high risk for wildlife.

The full text of the guidelines is available at <http://www.fws.gov/habitatconservation/wind.pdf>. The Service believes that implementing these guidelines may help reduce mortality caused by wind turbines. We encourage you to consider these guidelines in the planning and design of the project. We particularly encourage placement of turbines away from any large wetland, stream corridor, or wooded areas, including the areas mentioned previously, and avoid placing turbines between nearby habitat blocks.

BALD EAGLE COMMENTS: The project area lies within the range of the bald eagle (*Haliaeetus leucocephalus*). The bald eagle has been removed from the Federal list of endangered and threatened species due to recovery, but this species continues to be afforded protection by the Bald and Golden Eagle Protection Act, Migratory Bird Protection Act, and the State of Ohio. One active eagle nest exists within the center of the project area. Additionally, four more eagle nests are located within 5 miles of the project area. The proposed project location is of serious concern to the Service because multiple studies have documented the death of various species of eagles (golden eagles, white-tailed sea eagles, wedge-tailed eagles, and booted eagles) due to collisions with turbines in various locations throughout the world, including California (Thelander et. al 2003), Germany, Australia, and Spain (Lekuona, 2001). In order to minimize impacts to bald eagles as much as possible, surveys are necessary to document daily use patterns of adult and juvenile eagles within the project area, as described in ODNR's Draft On-Shore Bird and Bat Pre- and Post-Construction Monitoring Protocol for Commercial Wind Energy Facilities in Ohio. With such a large concentration of bald eagles within the greater project area we believe it is likely that eagles could be impacted if the project moves forward, and therefore additional studies of eagles within the project area are warranted to avoid and minimize any potential impacts.

Thank you for the opportunity to provide comments on the proposed John Deere Renewables Seneca County Wind Project. Please contact biologist Megan Seymour at extension 16 in this office if we can be of further assistance.

Sincerely,



for Mary Knapp, Ph.D.
Supervisor

Attachments: (1) Indiana bat mist netting guidelines
(2) Criteria for Determining if Caves or Abandoned Underground Mines are Potential Hibernacula for the Indiana Bat
(3) USFWS Permittees for Indiana bat surveys in Ohio

Cc: Mr. Keith Lott, ODNR, Old Woman Creek, 2514 Cleveland Road East, Huron, OH 44839
Mr. Dave Leput, Buffalo District, Corps of Engineers, Buffalo, NY
Mr. Brain Mitch, ODNR, REALM, Columbus, OH

Citations:

Lekuona, Jesus. 2001. Uso del Espacio del avifauna y control de la mortalidad de aves y murcielagos en los parques eolicos de Navarra durante un ciclo annual. Report prepared for the Government of Navarra, Spain.

Thelander, C.G., K.S. Smallwood, and L. Rugge. 2003. Bird Risk Behaviors and Fatalities at the Altamont Pass Wind Resource Area. Subcontractor report to the National Renewable Energy Laboratory, U.S. Department of Energy.

APPENDIX 5: Indiana Bat Mist-Netting Guidelines

RATIONALE

A typical mist-net survey is an attempt to determine presence or probable absence of the species; it does not provide sufficient data to determine population size or structure. Following these guidelines will standardize procedures for mist netting. It will help maximize the potential for capture of Indiana bats at a minimum acceptable level of effort. Although capture of bats confirms their presence, failure to catch bats does not absolutely confirm their absence. Netting effort as extensive as outlined below usually is sufficient to capture Indiana bats if they are present. However, there have been instances in which additional effort yielded detection when the standard effort did not.

Some mist-netting projects will require modification (or clarification) of these guidelines; these situations must be resolved through coordination with the Service Field Office responsible for the state in which your project occurs. Consultation with the Field Office is always recommended, particularly for large-scale netting efforts.

The Service accepts the results of these surveys to determine presence for the purposes of Section 7 consultation. Survey results are valid for at least two years.

NETTING SEASON: May 15 - August 15

May 15-August 15 are acceptable limits for documenting the presence of summer populations of Indiana bats, especially maternity colonies. (However, see Kiser and MacGregor 2005 for precautions regarding early-season surveys between May 15 and June 1, as well as late-season surveys between August 1 and August 15). Capture of reproductive adult females (i.e., pregnant, lactating, or post-lactating) and/or young of the year during May 15-August 15 indicates that a nursery colony is active in the area. Outside these dates, data cannot be used to document the presence or probable absence of summer populations.

EQUIPMENT

Mist nets to be used for Indiana bat surveys should be the finest, lowest visibility mesh commercially available: 1) In the past, this was 1 ply, 40 denier monofilament—denoted 40/1; 2) Currently, monofilament is not available, and the finest on the market is 2 ply, 50 denier nylon denoted 50/2; 3). The finest mesh size available is approximately 38 mm (~1 1/2 in).

No specific hardware is required. There are many suitable systems of ropes and/or poles to hold nets. The system of Gardner et al. (1989) has been widely used. See NET PLACEMENT below for minimum net heights, habitats, and other netting requirements that affect the choice of hardware.

NET PLACEMENT

Potential travel corridors such as streams or logging trails typically are the most effective places to net. Place nets approximately perpendicular across the corridor. Nets should fill the corridor from side to side and from stream (or ground) level up to the overhanging canopy. A typical set is 7 m high consisting of three or more nets stacked on top one another and up to 20 m wide. (Nets of different width may be used as the situation dictates).

Occasionally it may be desirable to net where there is no good corridor. Take caution to get nets up into the canopy. The typical equipment described in the section above may be inadequate for these situations, requiring innovation on the part of the researchers.

Exercise safety precautions when placing nets. Poles and nets must be clear of overhead wires.

See Kiser and MacGregor (2005) for additional discussion of net placement.

RECOMMENDED NET SITE SPACING

Stream and other linear corridors – one net site per km (0.6 mi) of stream or corridor.

Non-corridor study areas – two net sites per square km of habitat (equivalent to one net site per 123 acres).

The Service Field Office responsible for the state in which your project occurs should be consulted during survey design to resolve issues related to net site spacing for specific projects.

MINIMUM LEVEL OF EFFORT

Netting at each site should include at least four net nights, consisting of: 1) a minimum of two net locations at each site (at least 30 m apart, especially in linear habitat such as a stream corridor); and 2) a minimum of two nights of netting (i.e., two net locations for two nights = four net nights per site). A “net night” is defined as one net set up for one night. The sample period should begin at sunset and continue for at least 5 hours (longer sample periods may improve success). For purposes of determining presence or probable absence of Indiana bats, four net nights at a site are not required if Indiana bats are caught sooner (i.e., if Indiana bats are caught on the first night of netting, a second night is not required for purposes of documenting presence).

CHECKING NETS

Each net should be checked approximately every 10 minutes. Some researchers prefer continuous monitoring (with or without an electronic bat detector); care must be taken to avoid noise and movement near the nets if this technique is used. When monitoring the site continuously with a bat detector, bats can be detected immediately when they are captured in the net. Prompt removal from the net decreases stress on the bat and potential for the bat to escape (MacCarthy et al. 2006). Monitoring the net with a bat detector also allows the researcher to assess the effectiveness of their net placement (i.e., if bats are active near the nets but avoiding

capture); this may allow for adjustments that will increase netting success on subsequent nights. There should be no disturbance near the nets, other than to check nets and remove bats.

WEATHER AND LIGHT CONDITIONS

Severe weather adversely affects capture of bats. If Indiana bats are caught during weather extremes, it is probably because they are at the site and active despite inclement weather. On the other hand, if bats are not caught, it may be that bats are at the site but inactive due to the weather. Negative results combined with any of the following weather conditions throughout all or most of a sampling period are likely to require additional netting: 1) precipitation; 2) temperatures below 10°C; and/or 3) strong winds (use good judgment-- moving nets are more likely to be detected by bats). Further, consider human safety when netting during adverse weather.

It is typically best to set nets under the canopy where they are out of moonlight, particularly when the moon is ½-full or greater. Areas illuminated by artificial light sources should also be avoided.

DOCUMENTATION OF *MYOTIS SODALIS* CAPTURES

Photo documentation of *M. sodalis* captured during mist netting is not required, but is encouraged. Photos taken of a bat's head, calcar, tragus, toe hairs, etc. using a macro lens or a digital camera's macro-mode are often diagnostic and aid in validating the record.

If a bat from the genus *Myotis* is captured during mist netting that cannot be readily identified to the species level, species can be verified through fecal DNA analysis. Collect one or more fecal pellets (i.e., guano) from the bat in question by placing it temporarily in a holding bag (15 minutes is usually sufficient, no more than 30 minutes is recommended). The pellet (or pellets) collected should be placed in a 1.5 ml vial with silica gel desiccant; pellets from each individual bat should be stored in separate vials. Samples should be stored out of direct light. Samples should be shipped to Dr. Jan Zinck, Department of Biology, Portland State University, 630 SW Mill St., Portland, Oregon, 97201 for subsequent fecal DNA analysis to assign or confirm the specimens' identification to the species level. The current cost for sequencing is approximately \$50 per individual pellet of guano. Contact Dr. Zinck (e-mail: zinckj@pdx.edu) prior to shipping samples. To our knowledge, this is the only lab that currently provides this service. Any additional information (or additional sources) on this technique will be made available on the Indiana bat webpage on the Service's Region 3 website (www.fws.gov/midwest).

REFERENCES TO CONSULT REGARDING MIST NETTING

Gardner, J. E., J. D. Garner, and J. E. Hofmann. 1989. A portable mist-netting system for capturing bats with emphasis on *Myotis sodalis* (Indiana bat). *Bat Research News* 30:1-8.

Kiser, J.D. and J.R. MacGregor. 2005. Indiana bat (*Myotis sodalis*) mist net surveys for coal mining activities. Pp. 169-172 in K.C. Vories and A. Harrington (eds.), *The Proceedings of the Indiana bat and coal mining: a technical interactive forum* Office of Surface Mining, U.S.

Department of the Interior, Alton, IL. Available at:
<http://www.mcrcc.osmre.gov/PDF/Forums/Bat%20Indiana/2-1.pdf>. (Accessed October 27, 2006).

MacCarthy, K.A., T.C. Carter, B.J. Steffen, and G.A. Feldhamer. 2006. Efficacy of the mist-net protocol for Indiana bats: A video analysis. *Northeastern Naturalist* 13:25-28.

Murray K., E. Britzke, B. Hadley, and L. Robbins. 1999. Surveying bat communities: a comparison between mist nets and the Anabat II bat detector system. *Acta Chiropterologica* 1(1):105-12.

Murray, K.L., J.G. Boyle, J.C. Timpone, M.N. Miller, and L.W. Robbins. 2003. A test of the sampling protocol for Indiana bats. *Bat Research News* 44(1):25.

Robbins, L.W., K.L. Murray, J.G. Boyles, J.C. Timpone, M.N. Miller, and S.A. Kelly. 2003. Capture and detection of five species using Indiana bat protocol. Abstracts of papers presented at the 33rd annual North American symposium on bat research held 8-11 October 2003 in Lincoln, NE. *Bat Research News* 44(4):165.

Appendix G -7: IPaC Resource List - December 2018

IPaC Information for Planning and Consultation 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

Seneca County, Ohio



Local office

Ohio Ecological Services Field Office

☎ (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.
- . Click DEFINE PROJECT.
- . Log in (if directed to do so).
- . Provide a name and description for your project.
- . Click REQUEST SPECIES LIST.

Listed species

¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information.
2. [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.

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

Mammals

NAME	STATUS
<p>Indiana Bat <i>Myotis sodalis</i></p> <p>There is final critical habitat for this species. Your location is outside the critical habitat.</p> <p>https://ecos.fws.gov/ecp/species/5949</p>	Endangered
<p>Northern Long-eared Bat <i>Myotis septentrionalis</i></p> <p>This species only needs to be considered if the following condition applies:</p> <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 <p>No critical habitat has been designated for this species.</p> <p>https://ecos.fws.gov/ecp/species/9045</p>	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

¹and the Bald and Golden Eagle Protection Act².

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 [below](#).

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 <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- 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 [USFWS Birds 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.

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.)

Bald Eagle *Haliaeetus leucocephalus*

Breeds Oct 15 to Aug 31

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1626>

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 $0.05/0.25 = 0.2$.
- . 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 (|)

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.

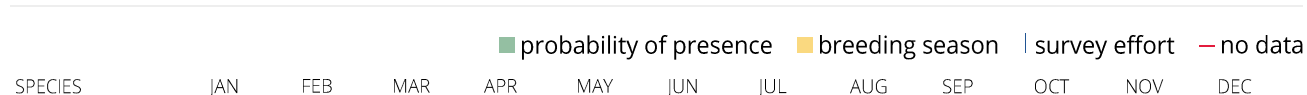
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

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.



Bald Eagle

Non-BCC Vulnerable
(This is not a Bird of
Conservation Concern
(BCC) in this area, but
warrants attention
because of the Eagle
Act or for potential
susceptibilities in
offshore areas from
certain types of
development or
activities.)



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 [Birds of Conservation Concern \(BCC\)](#) 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 [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) 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 ([Eagle Act](#) 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 [I-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 [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen 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 [Birds of Conservation Concern](#) (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 [Eagle Act](#) 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 [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) 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.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) 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.S. Army Corps of Engineers District](#).

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:

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 tubercid 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.

Attachment H: Transmittal Letter to Appropriate Officials



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December 13, 2018

Via UPS - Ground

«Address»

**Re: Seneca Wind, LLC Letter of Notification for Seneca Wind Gen-Tie
Eden Township, Seneca County, Ohio
Ohio Power Siting Board Case No. 18-1794-EL-BLN**

Dear «Salutation»,

Seneca Wind, LLC is proposing to construction the Seneca Wind Gen-Tie, Eden Township, Seneca County, Ohio. Seneca Gen-Tie to interconnect Applicant's proposed 200 MW wind energy generating facility to an existing American Electric Power (AEP) 138-kv electric transmission line to be provided via collection lines into the proposed Verne Substation. The Verne Substation will be constructed on approximately 1.0 acre of currently undeveloped property located east of Trail 0159. Power generated by Seneca Wind will be collected into the Verne Substation, which will then increase the voltage from 34.5-kV to 138 kV. The Verne Substation will be accessed via a 3,250-foot long, 16-foot wide access road that extends west off Trail 0165. The 1.65-mile 138-kV Gen-Tie Line will exit the Verne Substation to interconnect with the existing Melmore Substation. You are receiving this copy as required by Ohio Administrative Code ("O.A.C.") Rule 4906-3-07(A)(1).

In accordance with the provisions of Ohio Revised Code Section 4906.03(F)(3), this project falls within the Ohio Power Siting Board's ("Board") accelerated review or within its requirements for a Letter of Notification. Therefore, in compliance with Ohio Administrative Code ("OAC") Rule 4906-6-07(A)(1) of the Board's rules, enclosed please find a disk containing a copy of the Letter of Notification application that has been filed today with the Board for its review and approval. You may request a paper copy of the Letter of Notification by contacting Teresa Orahoad at (614) 227-4821 or torahood@bricker.com.

This project falls within the Board's requirements for a Letter of Notification. Therefore, in compliance with OAC Chapter 4906-6 of the Board's rules, the enclosed Letter of Notification has been filed today with the Board for its review and approval. These materials contain a description of the project.

If you have any questions, you may contact Peter Pawlowski, Seneca Wind, at 801-679-3557 or ppawlowski@spower.com.

Sincerely,

Dylan F. Borchers

Enclosure: Disk Containing Copy of Application

Attachment I: Newspaper Notice

Notice of Proposed Major Utility Facility (New Interconnection Facility Construction)

Seneca Wind, LLC (“Seneca Wind”) proposes to construct the Seneca Gen-Tie to interconnect Applicant’s proposed 200 MW wind energy generating facility to an existing American Electric Power (AEP) 138-kv electric transmission line to be provided via collection lines into the proposed Seneca Wind Project Substation. The Seneca Wind Project Substation will be constructed on approximately 1.0 acre of currently undeveloped property located east of Trail 0159. Power generated by Seneca Wind will be collected into the Seneca Wind Project Substation, which will then increase the voltage from 34.5-kV to 138 kV. The Seneca Wind Project Substation will be accessed via a 3,250-foot long, 16-foot wide access road that extends west off Trail 0165. The 1.65-mile 138-kV Gen-Tie Line will exit the Seneca Wind Project Substation to interconnect with the existing Melmore Substation. All components of the Seneca Wind Gen-Tie are located within Seneca County, Ohio, and are proposed on property under ownership or lease of the Applicant.

The location of the proposed Seneca Wind Project Substation is shown on the map below:



A Letter of Notification (LON) has been filed with the Ohio Power Siting Board (Board) as Case No. 18-1794-EL-BLN in order to construct, operate and maintain the proposed interconnection facility described above.

The following public officials were served a complete copy of the LON:

The following public officials were served with a copy of the Application: Verne Shellhouse, David Ziegler, Vern Morter, Eden Tonwhip Trustees; Holly Stacy, Mike Kerschner, Shayne Thomas, Seneca County Commissioners; Mark Zimmerman, Seneca County Engineer; Joe Steyer, President of the Seneca Soil & Water Conservation District; and Holly Stacy, Board President of Seneca Regional Planning Commission.

A copy of the LON is also available for public inspection at the Tiffin-Seneca Public Library, 77 Jefferson Street, Tiffin, Ohio 44883 Bliss Memorial Public Library, 20 S. Marion Street, Bloomville, Ohio 44818; and Seneca East Public Library, 14 N. Main Street, Attica, Ohio 44807.

A copy of the LON is located on Seneca Wind's web page at on. <https://senecawind.spower.com>. Copies of all filings in this case can also be located at the Ohio Power Siting Board website at <http://www.opsb.ohio.gov> by scrolling down to "Pending Cases" and selecting the case by name or docket number.

The Ohio Power Siting Board will review the Letter of Notification in accordance with Ohio Revised Code Section 4906.10(A) which states that the Board shall not grant a certificate for the construction, operation, and maintenance of a major utility facility, either as proposed or as modified by the Board, unless it finds and determines all of the following: (1) The basis of the need for the facility; (2) The nature of the probable environmental impact; (3) That the facility represents the minimum adverse environmental impact, considering the state of available technology and the nature and economics of the various alternatives, and other pertinent considerations; (4) In the case of an electric transmission line, that the facility is consistent with regional plans for expansion of the electric power grid of the electric systems serving this state and interconnected utility systems and that the facility will serve the interests of electric system economy and reliability; (5) That the facility will comply with Chapters 3704, 3734, and 6111 of the Revised Code and all rules and standards adopted under those chapters and under Sections 1501.33, 1501.34, and 4561.32 of the Revised Code. In determining whether the facility will comply with all rules and standards adopted under Section 4561.32 of the Revised Code, the board shall consult with the office of aviation of the division of multi-modal planning and programs of the department of transportation under Section 4561.341 of the Revised Code; (6) That the facility will serve the public interest, convenience, and necessity; (7) In addition to the provisions contained in divisions (A)(1) to (6) of this section and rules adopted under those divisions, what its impact will be on the viability as agricultural land of any land in an existing agricultural district established under Chapter 929 of the Revised Code that is located within the site and alternative site of the proposed major utility facility; rules adopted to evaluate impact under Division (A)(7) of this section shall not require the compilation, creation, submission, or production of any information, document, or other data pertaining to land not located within the site and alternative site; and (8) That the facility incorporates maximum feasible water conservation practices as determined by the board, considering available technology and the nature and economics of the various alternatives.

Affected persons may file comments or motions to intervene in accordance with Ohio Administrative Code Rule 4906-2-12 with the Board up to ten (10) days following the publication of this notice. Comments or motions should be addressed to the Ohio Power Siting Board, 180 East Broad Street, Columbus, Ohio 43215-3793 and cite Case No. 18-1794-EL-BLN. Persons may contact the Ohio Power Siting Board at 1-866-270-OPSB (6772) or contactOPSB@puc.state.oh.us.

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

12/13/2018 2:40:39 PM

in

Case No(s). 18-1794-EL-BLN

Summary: Letter of Notification of Seneca Wind, LLC for the Proposed Seneca Wind Gen-Tie
- Part 5 of 5 electronically filed by Teresa Orahod on behalf of Dylan F. Borchers