

LETTER OF NOTIFICATION FOR

**The Dayton Power and Light
Company d/b/a AES Ohio**

**Creekside 138kV Transmission Line Project
PUCO Case No. 22-0947-EL-BLN**

Submitted to:

The Ohio Power Siting Board

Pursuant to OAC 4906-06

Submitted by:

The Dayton Power and Light Company d/b/a AES Ohio

November 2022



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Letter of Notification

This Letter of Notification has been prepared by AES Ohio in accordance with Ohio Administrative Code (OAC) Section 4906-6-05 for the review of Accelerated Certificate Applications for the Creekside- 138kV Transmission Line Project ("Project"). The following section corresponds to the administrative code sections for the requirements of a Letter of Notification.

4906-6-05(B) GENERAL INFORMATION

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

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

Name of Project:

Creekside 138kV Transmission Line Project

Reference Numbers:

PUCO Filing Number: The proposed Project has been assigned Public Utilities Commission of Ohio (PUCO) Case Number 22-0947-EL-BLN.

Circuit Reference: This proposed Project is associated with the existing 13842 Eldean to Millcreek 138kV line, and the two new lines, 13842 Millcreek to Creekside and 13824 Eldean to Creekside 138kV

Brief Description of the Project:

AES Ohio is proposing the construction of the Creekside 138 kilovolt ("kV") Transmission Line Project ("Project") located near the intersection of I-75 and Fair Road, in the City of Sidney, and within Clinton Township in Shelby County, Ohio. The proposed Project involves the construction of a new 1-mile double circuit 138kV transmission line from the existing Millcreek Substation, tapping the Millcreek-Eldean 138kV line and terminating into the new distribution substation named Creekside substation. The new double circuit transmission line will be constructed as two single 138kV transmission lines and will be named Millcreek to Creekside and Eldean to Creekside. The proposed Project, in combination with other area improvements will support increased load growth in the Sidney area.

Letter of Notification Requirement:

This proposed Project qualifies as a Letter of Notification filing because it meets the requirements of OAC 4906-1-01, Appendix A, items (1)(b) and (1)(d)(ii), *Application Requirement Matrix for Electric Power Transmission Lines*:

1. New construction, extension, or relocation of single or multiple circuit electric power transmission line(s), or upgrading existing transmission or distribution line(s) for operation at a higher transmission voltage, as follows:

(b) Line(s) greater than 0.2 miles in length but not greater than two miles in length.

(d) Line(s) primarily needed to attract or meet requirements of a specific customer or Customers, as follows:

(ii) Any portion of the line is on property owned by someone other than the Specific customer or applicant.

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

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

AES is proposing the Creekside Substation and 138kV line extension from the Millcreek-Eldean 138kV to provide capacity to the growing load center around Sidney, Ohio. Recently, Semcorp proposed to add over 60MW of new load to the local system in the Sidney area. In addition to growth occurring at Semcorp, Cargill has also added load in the area recently too. The Creekside Substation and 138kV line extension from Millcreek-Eldean 138kV will provide the capacity and operational flexibility to continue serving the area in a reliable manner as load increases.

The need for the proposed Project was presented to PJM on 3/18/2022, and the solution was presented on 7/22/2022 and was assigned a PJM # of s2799. This proposed Project was not included in AES Ohio's 2022 LTFR document, as the Project could not be anticipated at the time of the LTFR filing

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

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

The proposed Project is located near the intersection of I-75 and Fair Rd., within the City of Sidney and Clinton Township in Shelby County, Ohio. The lines will primarily run west of Fair and Infirmary Roads and north of Schenk Rd. The location of the proposed Project is depicted in Attachment A – Figures. Figure 1 shows the general project vicinity depicted on a USGS quadrangle topographic map. Figure 2 depicts the planned transmission line location, compared to existing transmission lines in the proposed Project vicinity and additional details depicted on an aerial imagery map.

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

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

The proposed Project will occur within new and existing AES Ohio Right of Way ("ROW") and constructed primarily on land owned by SEMCORP Manufacturing, Inc. and also on land owned by AES Ohio and Shelby County. This route is the most suitable for the proposed Project as the route is designed as a double circuit loop for reliability and maintenance and an alternate route would likely include an existing road that currently has a single distribution circuit. In addition, the

route is within AES Ohio ROW on agricultural land primarily owned by SEMCORP and Shelby County, which minimizes any impacts to roadways and homeowners. Therefore, no alternative routes were considered.

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

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

The proposed Project will occur within new and existing AES Ohio ROW and constructed primarily on land owned by SEMCORP Manufacturing, Inc. and also on land owned by AES Ohio and Shelby County. Landowners with property within the proposed Project area and parcels abutting affected properties will be sent a letter by AES Ohio providing information about the proposed facility and timeframe for the construction and restoration activities. Information on the ongoing status of this Project and other AES Ohio transmission projects can be found at the following website: <https://www.aes-ohio.com/transmission-improvements>. A copy of the LON will be provided to the chief executive officer of the city of Sidney, the county and township and the head of relevant public agencies whose duties include the environmental protection or land use planning in the area where the proposed Project is located. A copy of the LON will also be provided to the Amos Memorial Public Library.

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

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

Construction activities associated with substation construction and associated transmission line work are planned to begin approximately March 1, 2023 and anticipated to be completed by October 31, 2024.

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

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

Attachment A – Figure depicts the general location of the proposed Project. Figure 1 shows the general Project vicinity depicted on a USGS quadrangle topographic map. Figure 2 shows the planned transmission line location and additional details depicted on an aerial imagery map.

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

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

The proposed Project will occur within new and existing AES Ohio ROW. and constructed primarily on land owned by SEMCORP Manufacturing, Inc. and also on land owned by AES Ohio and Shelby County. The following easement has been obtained from Shelby County:

Parcel Number
02-26-03-476-001

Three additional easements are in the process of being secured. Property owners have been notified as discussed above. Proposed easements are being negotiated and anticipate being obtained prior to project start for the following parcel numbers:

Parcel Number
01-26-03-301-001
01-26-10-100-014

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

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

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

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

This project consists of the addition of a new 138kV circuit and the rebuild of 69kV single circuit to a double circuit.

Voltage:	138 kV
Structure Type:	single circuit monopoles, galvanized steel
Conductors:	single 135161-strand AAC "Columbine"
Static Wire:	48-fiber OPGW
Insulators:	polymer braced post insulators
Height:	ranging from 65' – 120' above ground
ROW:	150' wide

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

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

Not applicable. No occupied residences or institutions are within 100 feet of the proposed Project.

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

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

Not applicable. No occupied residences or institutions are within 100 feet of the proposed Project.

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

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

Not applicable. No occupied residences or institutions within 100 feet of the proposed project.

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

The estimated capital cost of the project.

The estimated capital cost of the proposed Project is \$11.3 million.

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

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

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

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

The proposed Project is located in the city of Sidney and Clinton Township, within Shelby County, Ohio. The proposed Project will be constructed primarily on company and customer owned agricultural land that is owned by SEMCORP Manufacturing, Inc. and Shelby County. The Project will not impact land uses within the vicinity of the proposed Project other than the area immediately adjacent to the structure foundations.

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

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

Impacts to agricultural land are anticipated as a part of this proposed Project. Impacts will include overland access between structures and associated structure installations within agricultural areas. Approximately 14.38-acres of the proposed Project's ROW are within agricultural land. None of the proposed Project's ROW is located within agricultural district land.

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

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

The Ohio History Connection, Ohio's Historic Preservation Office (OHPO) online mapping system, was consulted to identify previously recorded cultural resources within 0.8 kilometer (0.5 mile) of the Project Area (the Study Area). This preliminary records check revealed two historic structures (SHE0126209 and SHE0127609) within the Project's review area. The OHPO considers both previously recorded historic structures not eligible for listing in the National Register of Historic Places (NRHP).

In addition, there have been 14 previously recorded archaeological sites (33SH0188-33SH201), two historic-period cemeteries (OGSID 11171-County Home #1-Infirmar #1-[County Home] and

15626-County Home #3-Infirmery #3), and two prior Phase I cultural resources surveys (Phase I Cultural Resource Management Survey for a 100.04 ha (247.22 ac) Prospective Job Ready Site in Clinton, Township, Shelby County, Ohio [NADB 19931-1058582] and Phase I Cultural Resource Management Investigation for the Proposed 0.13 Ha (0.33 A.) Airtouch Cellular Tower in Clinton Township, Shelby County, Ohio [NADB 13993]). The boundaries of prior survey NADB 19931-1058582 overlap the Project area from Fair Road to Creekside Substation.

Based on this review, none of the previously recorded historic structures, archaeological sites, or cemeteries are crossed by the Project or located in its immediate vicinity. Given that the OHPO has determined that historic structures SHE0126209 and SHE0127609 are not eligible for listing in the NRHP, the Project will not affect previously recorded cultural resources. Should state or federal permitting become necessary, additional coordination with the OHPO may be required for the Project. Refer to Attachment B – Cultural Resources Review Figures.

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

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

The anticipated environmental permits and authorizations for the proposed Project are summarized in the table below.

Agency	Approval/ Clearance/ Authorization	Agency Review Time	Comments
USACE – Huntington District	Clean Water Act Section 404 Nationwide Permit #57 – Electric Utility Line and Telecommunications Activities	N/A	Wetlands, streams, and other regulated waters were delineated within the proposed Project Area on October 25, 2022. No wetlands were identified, and no impacts are expected from construction access. The proposed Project is anticipated to be automatically authorized by the USACE under NWP 57 without a pre-construction notification (PCN). There are no section 10 waterbodies, national/wild/scenic rivers, or waters of special concern in the proposed Project area, and the proposed Project is not located in a listed township per NWP Regional General Condition 5.
U.S. Fish and Wildlife Service (USFWS)	Federally Listed Threatened or Endangered Species or Critical Habitat Review	N/A	Correspondence with the USFWS was initiated on October 26, 2022, and a response was received on November 11, 2022 which described any rare, threatened, or endangered species within the Study Area vicinity. This correspondence is further discussed in Sections 4906-6-05(B)(10)(e) of this LON. The Response Letter is found in Attachment C.
Ohio	Areas of Ecological	60 Days	Correspondence with ODNR was

Department of Natural Resources (ODNR) Office of Real Estate	Concern Review		initiated on October 21, 2022, and a response is currently pending.
Ohio Historic Preservation Office (OHPO)	Archaeological and Cultural Resources Review	30 Days	The Ohio History Connection, OHPO online mapping system, was consulted on October 28, 2022 to identify previously recorded cultural resources within 0.5 mile of the Proposed Project Area (the Study Area). Based on this review, none of the previously recorded historic structures, archaeological sites, or cemeteries are crossed by the Project or located in its immediate vicinity. Future correspondence may be necessary if state or federal permitting is required (Attachment B).
Ohio Environmental Protection Agency (OEPA)	Clean Water Act Section 401 Review	N/A	Currently, the USACE has determined that the OEPA will waive all 401 certifications, thus the USACE is not requiring 401 water quality certifications for the sixteen modified or new NWP's in Ohio which includes NWP 57.
	National Pollutant Discharge Elimination System (NPDES) Construction Site General Permit Notice of Intent (NOI)	NOI submitted 21 days prior to start of construction	The total disturbance for the proposed Project is anticipated to be greater than one acre, thus coverage under this permit is required.
Shelby County Building Department	Road Right-Of-Way Permit	N/A	A road right-of-way permit is required for this project since some construction for this project will disturb the road right-of-way on Shelby County-maintained roadways.
Shelby County Engineer's Office	Driveway Permit	N/A	A driveway permit is required for this Project since a driveway will be installed for access to the new Creekside 138kV Transmission Line.
	Work Within Right-of-Way Permit	N/A	A work within right-of-way permit is required since some construction for this Project will disturb the road right-of-way on Shelby County-maintained roadways.

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

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

Coordination with the U.S. Fish and Wildlife Service (USFWS) was initiated on October 26, 2022 in an effort to identify the proposed Project's potential effect on any federally listed threatened or endangered species or critical habitat within a one-mile radius of the Study Area. A response from the USFWS was received November 11, 2022 regarding rare, threatened, and endangered (RTE) species located within the Study Area vicinity. The response from the USFWS indicated the federally listed endangered Indiana bat (*Myotis sodalis*) and threatened northern long-eared bat (*Myotis septentrionalis*) occur throughout the state of Ohio. Any required tree clearing associated with the proposed Project is proposed to be implemented during the seasonal tree cutting window (clearing of trees ≥ 3 inches diameter at breast height between October 1 and March 31) to avoid impacts to the federally listed bat species. Therefore, no adverse effects to any federally endangered, threatened, proposed or candidate species are expected to occur. An IPaC resource list analysis was also performed and a report of species and critical habitat within a 0.5-mile radius of the proposed Project was generated. In addition to the Indiana bat and the northern long-eared bat, the IPaC report indicated the Tricolored Bat (federally listed proposed endangered species), and the Monarch Butterfly (federally listed candidate species), can be found in or near the proposed Project area. Monarch Butterflies lay their eggs on milkweed host plants; given the habitat types within the proposed Project area and the fact that the proposed Project will occur entirely in AES Ohio maintained transmission line and road ROW, proposed Project activities are not likely to impact these species. A copy of the USFWS response can be found in Attachment C – Rare, Threatened, and Endangered Species Correspondence.

Additionally, coordination with the Ohio Department of Natural Resources (ODNR) was initiated on October 21, 2022 to identify the proposed Project's effect on any state listed threatened or endangered species within a 0.5-mile radius of the proposed Project. A response from the ODNR Division of Wildlife (DOW) is currently pending and will be available upon request.

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

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

GAI also conducted an investigation for areas of ecological concern. As a part of GAI's investigation, a request was submitted to the ODNR Natural Heritage Program on October 21, 2022, to research the presence of any unique ecological sites, geological features, animal assemblages, scenic rivers, state wildlife areas, nature preserves, parks or forest, national wildlife refuges, or other protected areas within one mile of the proposed Project area, using the ODNR NHD. A response from the ODNR – Office of Real Estate is currently pending and is available upon request.

As a part of the field investigation and ecological assessment, GAI conducted a Wetland Delineation and Stream Investigation Report of the proposed Project Area. GAI's investigation included a Study Area of approximately a 150-foot wide corridor centered on the proposed transmission line ROW. Results from GAI's field investigation can be found in Attachment D – Wetland Delineation and Stream Investigation Report (WDSIR). A review of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) revealed that a portion of the proposed Project Area lies within the 100-year floodplain of Mill Branch. Temporary grading, filling, and/or earth moving activities associated with the installation of five (5) structures are anticipated to take place within the 100-year floodplain of Mill Branch.

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

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

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

4906-6-08: Public Notice for Letter of Notification Applications

Within seven days of the filing of a Letter of Notification application, the applicant shall give public notice in newspapers of general circulation in the project area and shall supply the board with proof of such publication no later than 30 days from the date of publication. The applicant is permitted to correct any inadvertent failure of service or publication, provided substantial compliance with these requirements is met. The notice shall occupy not less than one-fourth of each newspaper's standard page, with letters not less than ten-point type and shall bear the heading "Notice of Proposed Major Utility Facility" in bold letters not less than one-fourth inch high or thirty-point type.

A newspaper notice will be provided in the Sidney Daily News within 7 days of filing this application, consisting of no less than a fourth of a standard page. Similarly, proof of publication within 30 days of the date of publication will be provided. Within seven days of filing this LON, notice will be sent to each property owner and tenant affected by the proposed Project as well as landowners and tenants abutting parcels affected by the proposed Project. This notice will include a description of the proposed Project, a map showing the location and layout of the proposed Project, the location of where accessible copies of this LON are available, and a statement including the assigned docket number that this LON is now pending before the board. This letter will also describe how to participate and comment in the board's proceedings.

Additionally, along with OPSB filing a copy of this LON will be provided to the public officials, departments, and agencies of Shelby County, Clinton Townships, and the City of Sidney that are listed below. A copy of the LON has also been provided to the Amos Memorial Public Library listed below for public viewing.

Shelby County

Ms. Julie Lynn Ehemann, Mr. Robert A. Guillozet, and Mr. Anthony J. Bornhorst
Shelby County Board of Commissioners
129 E. Court Street

Suite 100
Sidney, OH 45365

Mr. Robert B. Geuy, P.E., P.S.
Shelby County Engineer
500 Gearhart Road
Sidney, OH 45365

Amos Memorial Public Library
230 E North Street
Sidney, OH 45365

Clinton Township

Mr. Todd Ratermann
Clinton Township Trustee
767 Marva Lane
Sidney, OH 45365

Mr. Jim Gaier
Clinton Township Trustee
1890 Riverside Drive
Sidney, OH 45365

Mr. Thomas Kinninger
Clinton Township Trustee
2307 S. Vandemark Road
P.O. Box 1
Sidney, OH 45365

Ms. Sally Wood
Clinton Township Fiscal Officer
1806 Riverside Drive
Sidney, OH 45365

City of Sidney

Ms. Mardie Milligan
City of Sidney Council, Mayor
1521 Port Jefferson Road
Sidney, OH 45365

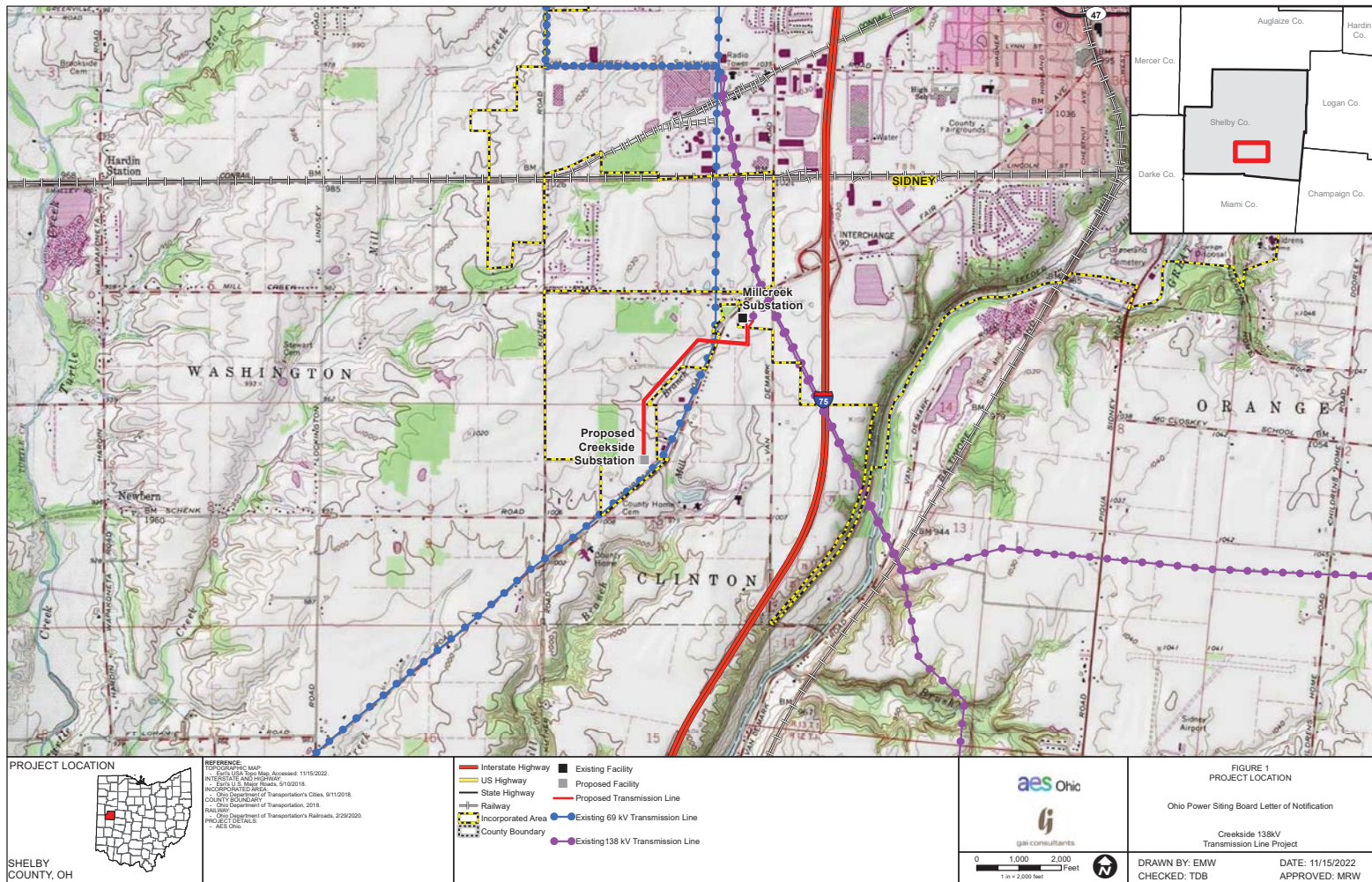
Mr. Steve Wagner
City of Sidney Council, Vice Mayor
702 S. Ohio Avenue
Sidney, Ohio 45365

Mr. Joe Moniaci, Mr. Scott Roddy, Mr. Mike Barhorst, Mr. Steven Klingler,
Ms. Jennifer VanMatre, Mr. Steve Wagner
City of Sidney Council
201 W. Poplar Street
Sidney, OH 45365

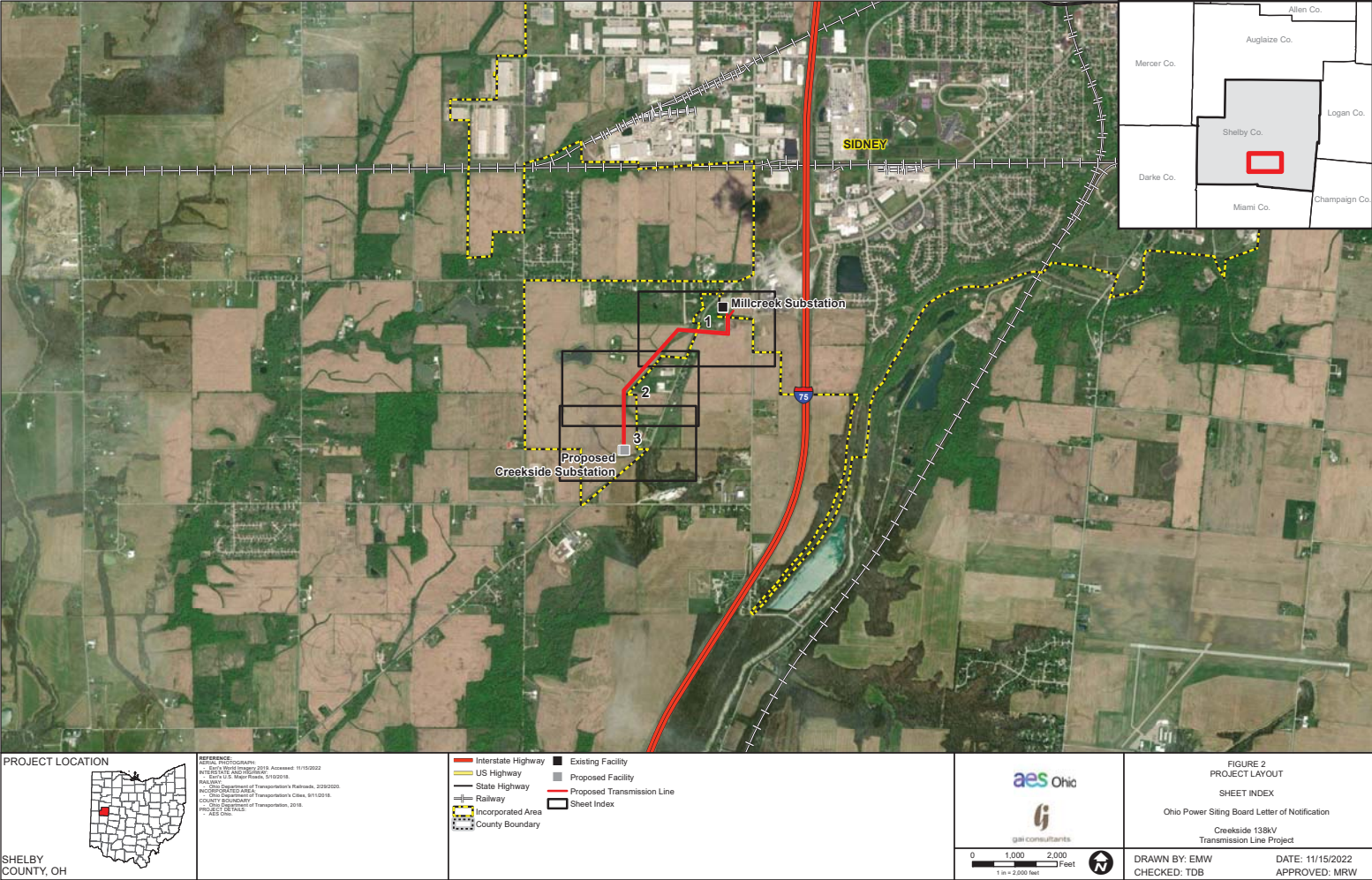
Mr. Andrew Bowsher
City of Sidney Manager
201 W. Poplar Street
Sidney, OH 45365

Mr. Chad Arkenberg
City of Sidney Engineering Manager
201 W. Poplar Street
Sidney, OH 45365

Attachment A – Figures



G:_2022\R220931.00 - GIS\MXD\OPSB\R220931_00_Millcreek_to_Eidean_OPB_FIG1_Project_Location_2022_11_15.mxd



PROJECT LOCATION



REFERENCE:
Ohio Department of Transportation
ACTIVITY REPORT 2019, Accessed: 11/15/2022
Ohio Department of Transportation
Ohio Department of Transportation's Railroads, 2019/2020
Ohio Department of Transportation's Cities, 2011/2018
Ohio Department of Transportation, 2018
PROJECT SHEET INDEX

- Interstate Highway
- US Highway
- State Highway
- Railway
- Incorporated Area
- County Boundary
- Existing Facility
- Proposed Facility
- Proposed Transmission Line
- Sheet Index



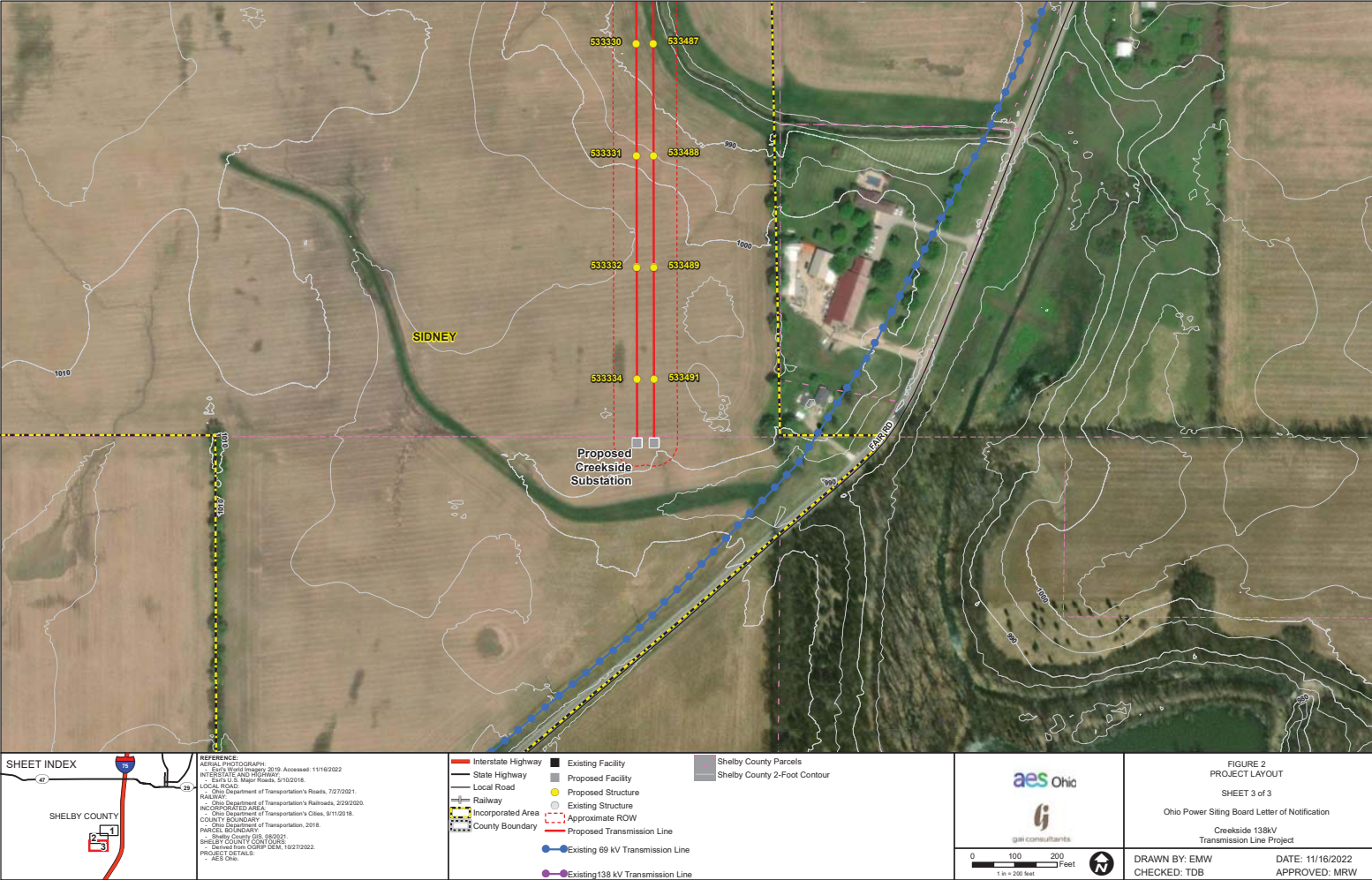
FIGURE 2
PROJECT LAYOUT
SHEET INDEX

Ohio Power Siting Board Letter of Notification
Creekside 138kV
Transmission Line Project

DRAWN BY: EMW
CHECKED: TDB
DATE: 11/15/2022
APPROVED: MRW



SHEET INDEX SHELBY COUNTY	REFERENCE: AERIAL PHOTOGRAPHY: - Esri World Imagery 2019, Accessed: 11/16/2022 - INTERSTATE AND HIGHWAY: - OHIO'S U.S. HIGHWAYS, 11/10/2019. - Ohio Department of Transportation's Roads, 7/27/2021. - RAILROAD: - Ohio Department of Transportation's Railroads, 2/29/2020. - INCORPORATED AREA: - Ohio Department of Transportation's Cities, 9/11/2018. - COUNTY BOUNDARY: - Ohio Department of Transportation, 2018. - PARCEL BOUNDARY: - Ohio Department of Transportation, 2018. - SHELBY COUNTY CONTOURS: - Derived from CORP USAL 10272022. - PROJECT DETAILS: - AES Ohio.	Legend: - Interstate Highway - State Highway - Local Road - Railroad - Incorporated Area - County Boundary - Existing Facility - Proposed Facility - Proposed Structure - Existing Structure - Approximate ROW - Proposed Transmission Line - Existing 69 kV Transmission Line - Existing 138 kV Transmission Line - Shelby County Parcels - Shelby County 2-Foot Contour	aes Ohio gis consultants 0 100 200 Feet 1 in = 200 feet N	FIGURE 2 PROJECT LAYOUT SHEET 2 of 3 Ohio Power Siting Board Letter of Notification Creekside 138kV Transmission Line Project DRAWN BY: EMW CHECKED: TDB DATE: 11/16/2022 APPROVED: MRW
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Attachment B – Cultural Resources Review Figures

Attachment C – Rare, Threatened, and Endangered
Species Correspondence

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



November 9, 2022

Project Code: 2023-0007260

Reference: AES Ohio Millcreek Creekside Eldean 138kV line

Dear Mr./Ms,

The U.S Fish and Wildlife Service (Service) has received your recent correspondence requesting information about the subject proposal. We offer the following comments and recommendations to assist you in minimizing and avoiding adverse impacts to threatened and endangered species pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq), as amended (ESA).

Federally Threatened and Endangered Species: The endangered Indiana bat (*Myotis sodalis*) and threatened northern long-eared bat (*Myotis septentrionalis*) occur throughout the State of Ohio. The Indiana bat and northern long-eared bat may be found wherever suitable habitat occurs unless a presence/absence survey has been performed to document absence. Suitable summer habitat for Indiana bats and northern long-eared bats consists of a wide variety of forested/wooded habitats where they roost, forage, and breed that may also include adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, woodlots, fallow fields, and pastures. Roost trees for both species include live and standing dead trees ≥ 3 inches diameter at breast height (dbh) that have any exfoliating bark, cracks, crevices, hollows and/or cavities. These roost trees may be located in forested habitats as well as linear features such as fencerows, riparian forests, and other wooded corridors. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet of other forested/wooded habitat. Northern long-eared bats have also been observed roosting in human-made structures, such as buildings, barns, bridges, and bat houses; therefore, these structures should also be considered potential summer habitat. In the winter, Indiana bats and northern long-eared bats hibernate in caves, rock crevices and abandoned mines.

Seasonal Tree Clearing for Federally Listed Bat Species: Should the proposed project site contain trees ≥ 3 inches dbh, we recommend avoiding tree removal wherever possible. If any caves or abandoned mines may be disturbed, further coordination with this office is requested to determine if fall or spring portal surveys are warranted. If no caves or abandoned mines are present and trees ≥ 3 inches dbh cannot be avoided, we recommend removal of any trees ≥ 3 inches dbh only occur between October 1 and March 31. Seasonal clearing is recommended to avoid adverse effects to Indiana bats and northern long-eared bats. While incidental take of northern long-eared bats from most tree clearing is exempted by a 4(d) rule (see <https://ecos.fws.gov/ecp/species/9045>), incidental take of Indiana bats is still prohibited without

a project-specific exemption. Thus, seasonal clearing is recommended where Indiana bats are assumed present.

If implementation of this seasonal tree cutting recommendation is not possible, a summer presence/absence survey may be conducted for Indiana bats. If Indiana bats are not detected during the survey, then tree clearing may occur at any time of the year. Surveys must be conducted by an approved surveyor and be designed and conducted in coordination with the Ohio Field Office. Surveyors must have a valid federal permit. Please note that in Ohio summer mist net surveys may only be conducted between June 1 and August 15.

Section 7 Coordination: If there is a federal nexus for the project (e.g., federal funding provided, federal permits required to construct), then no tree clearing should occur on any portion of the project area until consultation under section 7 of the ESA, between the Service and the federal action agency, is completed. We recommend the federal action agency submit a determination of effects to this office, relative to the Indiana bat and northern long-eared bat, for our review and concurrence. This letter provides technical assistance only and does not serve as a completed section 7 consultation document.

Stream and Wetland Avoidance: Over 90% of the wetlands in Ohio have been drained, filled, or modified by human activities, thus it is important to conserve the functions and values of the remaining wetlands in Ohio (https://epa.ohio.gov/portals/47/facts/ohio_wetlands.pdf). We recommend avoiding and minimizing project impacts to all wetland habitats (e.g., forests, streams, vernal pools) to the maximum extent possible in order to benefit water quality and fish and wildlife habitat. Additionally, natural buffers around streams and wetlands should be preserved to enhance beneficial functions. If streams or wetlands will be impacted, the U.S. Army Corps of Engineers should be contacted to determine whether a Clean Water Act section 404 permit is required. Best management practices should be used to minimize erosion, especially on slopes. Disturbed areas should be mulched and revegetated with native plant species. In addition, prevention of non-native, invasive plant establishment is critical in maintaining high quality habitats.

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

Thank you for your efforts to conserve listed species and sensitive habitats in Ohio. We recommend coordinating with the Ohio Department of Natural Resources due to the potential for the proposed project to affect state listed species and/or state lands. Contact Mike Pettegrew, Acting Environmental Services Administrator, at (614) 265-6387 or at mike.pettegrew@dnr.state.oh.us.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrice Ashfield". The signature is fluid and cursive, with the first name "Patrice" and last name "Ashfield" clearly distinguishable.

Patrice Ashfield
Field Office Supervisor

cc: Nathan Reardon, ODNR-DOW
Eileen Wyza, ODNR-DOW



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ohio Ecological Services Field Office

4625 Morse Road, Suite 104

Columbus, OH 43230-8355

Phone: (614) 416-8993 Fax: (614) 416-8994



In Reply Refer To:

October 21, 2022

Project Code: 2023-0007260

Project Name: GAI Consultants- AES Ohio- Millcreek-Creekside-Eldean 138kV T Line

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Ohio Ecological Services Field Office

4625 Morse Road, Suite 104

Columbus, OH 43230-8355

(614) 416-8993

Project Summary

Project Code: 2023-0007260
Project Name: GAI Consultants- AES Ohio- Millcreek-Creekside-Eldean 138kV T Line
Project Type: Transmission Line - New Constr - Above Ground
Project Description: The proposed Project involves the construction of a new Creekside substation and a new 2-mile double circuit 138kV line from the existing Millcreek Substation to loop in and out of the Creekside substation. New steel structures will be installed within new right-of-way (ROW).

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@40.25960105,-84.19436260590696,14z>



Counties: Shelby County, Ohio

Endangered Species Act Species

There is a total of 5 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: ▪ Incidental take of the northern long-eared bat is not prohibited at this location. Federal action agencies may conclude consultation using the streamlined process described at https://www.fws.gov/midwest/endangered/mammals/nleb/s7.html Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

Clams

NAME	STATUS
Rayed Bean <i>Villosa fabalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5862	Endangered

Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

Critical habitats

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

IPaC User Contact Information

Agency: GAI Consultants, Inc.
Name: Tyler Rankin
Address: 11 Spiral Drive
Address Line 2: Suite 8
City: Florence
State: KY
Zip: 41048
Email: t.rankin@gaiconsultants.com
Phone: 8592120226

Attachment D – Wetland Delineation and Stream Identification
Report

Wetland Delineation and Stream Identification Report

AES Ohio
Creekside 138kV Transmission Line Project
Shelby County, Ohio

GAI Project Number: R220931.00

AES Ohio Project Numbers: TUSDY.01.09.0009, TUSDY.01.09.0010

November 14, 2022



Wetland Delineation and Stream Identification Report

AES Ohio
Creekside 138kV Transmission Line Project
Shelby County, Ohio

GAI Project Number: R220931.00
AES Ohio Project Numbers: TUSDY.01.09.0009, TUSDY.01.09.0010

November 14, 2022

Prepared for:
AES Ohio
1900 Dryden Road
Dayton, Ohio 45439

Prepared by:
GAI Consultants, Inc.
Northern Kentucky Office
11 Spiral Drive, Suite 8
Florence, Kentucky 41042

Author:

Lilly Holmes
Senior Environmental Specialist

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 3.2 Waters of the State 11

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Table 1 Streams Identified within the Project Study Area
 Stream Photographs

Figure 1 Project Vicinity

Figure 2 Resource Location

Figure 3 Stream Eligibility

Appendix A Descriptions of Soils Found Within the Project Study Area

1.0 Introduction

AES Ohio is proposing the construction of a new approximately 1-mile 138 kV double circuit transmission line. The Project begins at the existing Millcreek Substation in the City of Sidney to the proposed new Creekside Substation in Clinton Township, located within Shelby County, Ohio. **(Figure 1, Project Vicinity.)**

GAI Consultants, Inc. (GAI), on behalf of AES Ohio, conducted wetland delineation and stream investigation surveys at the Project study area on October 25, 2022. GAI identified approximate boundaries of wetlands and waterbodies located within the vicinity of an approximate 18.7-acre study area that consisted of an approximate 200-foot wide corridor centered on the proposed transmission line right-of-way (ROW). This report describes the methods and results of the environmental field survey within the Project study areas.

2.0 Methods

The study area was investigated for the presence of wetlands and streams on October 25th, 2022. Wetland delineations were conducted in accordance with the 1987 United States Army Corps of Engineers (USACE) *Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory, 1987) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest* (Version 2.0) (USACE, 2010). Wetlands were classified using the *Classification of Wetlands and Deepwater Habitats of the United States* (Cowardin et al, 1979). Classification of the indicator status of vegetation is based on *The National Wetland Plant List: 2016 Update of Wetland Ratings* (Lichvar, et al, 2016).

The growing season in the Project area is generally between April and November in Shelby County, Ohio (United States Department of Agriculture, Natural Resource Conservation [USDA-NRCS], 2014). Field observations were supplemented with an intensive review of United States Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) mapping, USDA-NRCS soils mapping, historical aerial photography (Google Earth), and local landscape topography/morphology to identify the locations of potential wetlands and waterbodies present within the study area. This resource review was supplemented by the completion of the October 25th, 2022 wetland delineation field investigations. Professional judgment was used to determine whether hydrophytic vegetation and hydric soils existed within the potential wetland areas if onsite data was ambiguous.

Each wetland and waterbody feature was given a unique map designation and each boundary flag location was recorded using a Trimble R1 model global positioning system mapping grade unit with the capability of sub-meter accuracy. Wetland boundaries, stream banks and/or centerlines were mapped in relation to existing Project data supplied by AES Ohio and various environmental and cadastral background data in Geographical Information Systems (GIS).

3.0 Regulatory Discussion

3.1 Waters of the United States

"Waters of the U.S." are within the jurisdiction of the USACE under the Clean Water Act (CWA). "Waters of the U.S." is a broad term, which includes waters that are used or could be used for interstate commerce. This includes wetlands, ponds, lakes, territorial seas, rivers, tributary streams including any definable intermittent waterways, and some ditches below the ordinary high-water mark (OHWM). Also included are manmade waterbodies such as quarries and ponds, which are no longer actively being mined or constructed and are connected to other "waters." Wetlands, mudflats, vegetated shallows, riffle and pool complexes, coral reefs, sanctuaries, and refuges are all considered special aquatic sites which involve more rigorous regulatory permitting requirements. A specific, detailed definition of "Waters of the U.S." can be found in the Federal Register (33 CFR 328.3).

The USACE will assert jurisdiction over traditionally navigable waters (TNWs), adjacent wetlands, and non-navigable tributaries of TNWs that have “relatively permanent” flow, and wetlands that border these waters, regardless of whether or not they are separated by roads, berms, and similar barriers. In addition, the USACE will use a case-by-case “significant nexus” analysis to determine whether waters and their adjacent wetlands are jurisdictional. A “significant nexus” can be found where waters, including adjacent wetlands, alter the physical, biological, or chemical integrity of the traditionally navigable water based on consideration of several factors.

3.2 Waters of the State

“Waters of the State” are within the jurisdiction of the Ohio Environmental Protection Agency (OEPA) Division of Surface Water. They are generally defined as streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and other bodies or accumulation of water, surface and underground, natural or artificial, regardless of the depth of the strata in which underground water is located, that are situated wholly or partly within or border upon this state or are within its jurisdiction. In addition to those “Waters of the State” that would also be considered “Waters of the U.S.,” the OEPA also regulates and issues permits for isolated wetland impacts. The State relies on the USACE decision regarding wetland determinations and delineations including whether or not a wetland is isolated or non-isolated.

The 401 Water Quality Certification for Nationwide Permit Eligibility Web Map (2017 Reissuance) was used to determine stream eligibility coverage under the 401 Water Quality Certification (WQC) for the 2017 Nationwide Permits (NWPs). Furthermore, the map was used to identify any ineligible areas that may require a CWA Section 401 individual permit from the OEPA should stream impacts occur within the Project area (OEPA, 2017) (**Figure 3, Stream Eligibility**).

4.0 Results

Project study area topography primarily consists of flat agricultural land, future industrial development, and some forested areas within the Indiana and Ohio Till Plains (MLRA; USDA-NRCS, 2006). Land use within and adjacent to the study area consists of routinely maintained transmission line and road ROW, pasture, row-crop agriculture, riparian corridor, and rural residential and commercial land uses.

The Project study area crosses the Brush Creek-Great Miami River (Hydrologic Unit Code [HUC-12] 050800010703) watershed (**Figure 1, Project Vicinity**).

The USFWS's NWI was reviewed for potential wetland locations. However, the NWI maps were prepared from high altitude photography and in most cases, were not field verified. As a result, wetlands are sometimes erroneously identified, missed, or misidentified within this data set. The presence of an NWI-mapped wetland does not necessarily constitute the presence of a wetland meeting USACE criteria. The NWI map of the area (**Figure 2, Resource Location, Sheet Index**) identified one (1) NWI wetland crossed by the study area. The NWI stream feature crossed by the study area are classified as Riverine Unknown Perennial Unconsolidated Bottom Permanently Flooded (R5UBH; 1 individual).

Based on GAI's October 25th, 2022 wetland delineation field investigations, no wetlands were identified within the study area.

To evaluate potential streams within the study area, GAI reviewed existing United States Geological Survey (USGS) topographic maps, aerial photography, National Hydrography Dataset (NHD) stream data, and site contour data. One (1) likely jurisdictional perennial stream and one (1) likely jurisdictional ephemeral stream, totaling approximately 950.4 feet, were identified within the study area. Locations of the identified streams can be found in **Figure 2, Resource Location**.

As regulated by OAC Chapter 3745-1-21 and Section 401 WQC, streams with proposed permanent and/or temporary impacts were also assessed according to OEPA guidance using either the Headwater Habitat Evaluation Index (HHEI) for watersheds less than one square mile in size, or the Qualitative Habitat Evaluation Index (QHEI) for watersheds between one and 20 square miles in size.

All stream segments are located within a Possibly Eligible area for coverage under the 401 WQC for NWPs (**Figure 3, Stream Eligibility**). Additionally, no streams were identified as USACE Section 10 navigable.

In addition to the jurisdictional streams identified, all roadside ditches and other surface drainages within the study area were also evaluated for consideration as jurisdictional Waters of the U.S. with respect to the Clean Water Act Rule [40 CFR 230.3(3)(iii)]. Jurisdictional ditches must meet the definition of tributary, have an OHWM, and flow directly or indirectly through another water to a TNW. Likely jurisdictional ditches include: ditches with perennial flow; ditches with intermittent flow that drain wetlands; or ditches, regardless of flow, that are excavated in or relocate a tributary. Jurisdictional wetlands may be present within or connected to another jurisdictional Waters of the U.S. in regard to significant nexus analysis through, non-jurisdictional ditches or surface drainages. One roadside ditch was observed throughout the study area; however, the roadside ditch would not be considered jurisdictional or likely jurisdictional within the study area. These features were excavated in upland soils to convey upland drainage and had no defined bed and bank or flow regime to constitute a Waters of the U.S. designation. Locations of these non-jurisdictional features can be found in **Figure 2, Resource Location**

The identified streams are summarized in **Table 1**. Color photographs of each feature accompany this table. Soil map units within the study area are provided in **Appendix A** and **Figure 2, Resource Location**.

5.0 Conclusions

Wetland delineations and stream investigations of the AES Ohio Creekside 138kV Transmission Line Project were conducted on October 25th, 2022 within a 18.7-acre study area that includes areas within the vicinity of the existing transmission line ROW, proposed new ROW, and access roads. No USACE-jurisdictional wetlands and two (2) USACE-jurisdictional streams were identified within the vicinity of the study area. Additionally, these features would also be under the jurisdiction of the OEPA. As such, these features would be considered "Waters of the U.S." and Waters of the State.

All statements in this document pertaining to the jurisdictional status of wetlands and streams and wetlands with regard to USACE and state regulations represent the opinion of GAI and are based on present USACE guidance. The jurisdictional status of these features may be confirmed a USACE Jurisdictional Determination and/or by state agencies.

6.0 References

- Cowardin, D. M., V. Carter, F. C. Golet, and E. T. La Roe. 1979. *Classification of Wetlands and Deepwater Habitats of the United States*. United States Department of the Interior, Fish and Wildlife Service. Publication No. FWS/OBS-79/31. Washington, D.C.
- Environmental Laboratory. 1987. *Corps of Engineers Wetlands Delineation Manual*. United States Department of the Army, United States Army Engineer Waterways Experiment Station. Technical Report Y-87-1. Vicksburg, Mississippi.
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- Ohio Administrative Code. 2011. State of Ohio: Water Quality Standards, Chapter 3745-1.
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- United States Army Corps of Engineers (USACE). 2010. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Mid-West Region, Version 2.0*. ERDC/EL TR-12.1. United States Army Engineer Research and Development Center, Vicksburg, Mississippi.
- United States Department of Agriculture, Natural Resources Conservation Service (USDA-NRCS). 2006. *Land Resource Regions and Major Land Resource Areas of the United States, the Caribbean, and the Pacific*. U.S. Department of Agriculture Handbook, 348.
- United States Department of Agriculture, Natural Resources Conservation Service (USDA-NRCS). 2006. *Land Resource Regions and Major Land Resource Areas of the United States, the Caribbean, and the Pacific*. U.S. Department of Agriculture Handbook, 296.
- United States Fish and Wildlife Service. 2015. National Wetlands Inventory for Ohio GIS Polygon Shapefiles. Available from <http://www.fws.gov/wetlands/Data/State-Downloads.html>. Accessed June 2018.

TABLE 1
Streams Identified
Within the Project Study Area

Table 1.
Streams Identified Within the Project Study Area

Feature Designation ¹	Latitude ²	Longitude ²	Name	Type	OHWM Width (feet)	OHWM Depth (feet)	Top of Bank Width (feet)	Top of Bank Depth (feet)	Length Within Study Area ³ (feet)	Ohio or Federal Special Listing ^{4,5,7}	Open Ended	OEPA Stream Eligibility
Stream 001	40.263551	-84.189666	UNT	Intermittent	10	1	15	3	158.4	NA	Yes	Possibly Eligible
Stream 002	40.288845	-84.207256	Mill Branch	Perennial	5	1	50	6	792.0	WWH	Yes	Possibly Eligible
Total Stream Length (feet) within Study Area									950.4			

Notes:

¹GAI map designation.

²Decimal degrees; Coordinates provided in NAD 83.

³Extent of stream or open water within study area. Stream or open water may extend beyond these limits if noted as open ended. A length of 0 indicates a stream was delineated but exists entirely outside the study area.

⁴USACE Navigable Streams in Ohio Listing (Section 10 Waters) Huntington District.

⁵OEPA Aquatic Life Use Designation of Exceptional Warmwater Habitat (EWH), Cold Water Habitat (CWH), Warmwater Habitat (WWH), Seasonal Salmonid Habitat (SSH), Modified Warmwater Habitat (MWH), or any equivalent per OAC 3745-1-21.

⁶OEPA Antidegradation Category of Superior High-Quality Water, Outstanding National Resource Water, or Outstanding State Water.

⁷ODNR Listing of State Wild and Scenic Rivers.

STREAM PHOTOGRAPHS

Stream Photographs



Photograph 1. Stream 01. Upstream
Facing West (October 25, 2022)



Photograph 2. Stream 01. Downstream
Facing East (October 25, 2022)

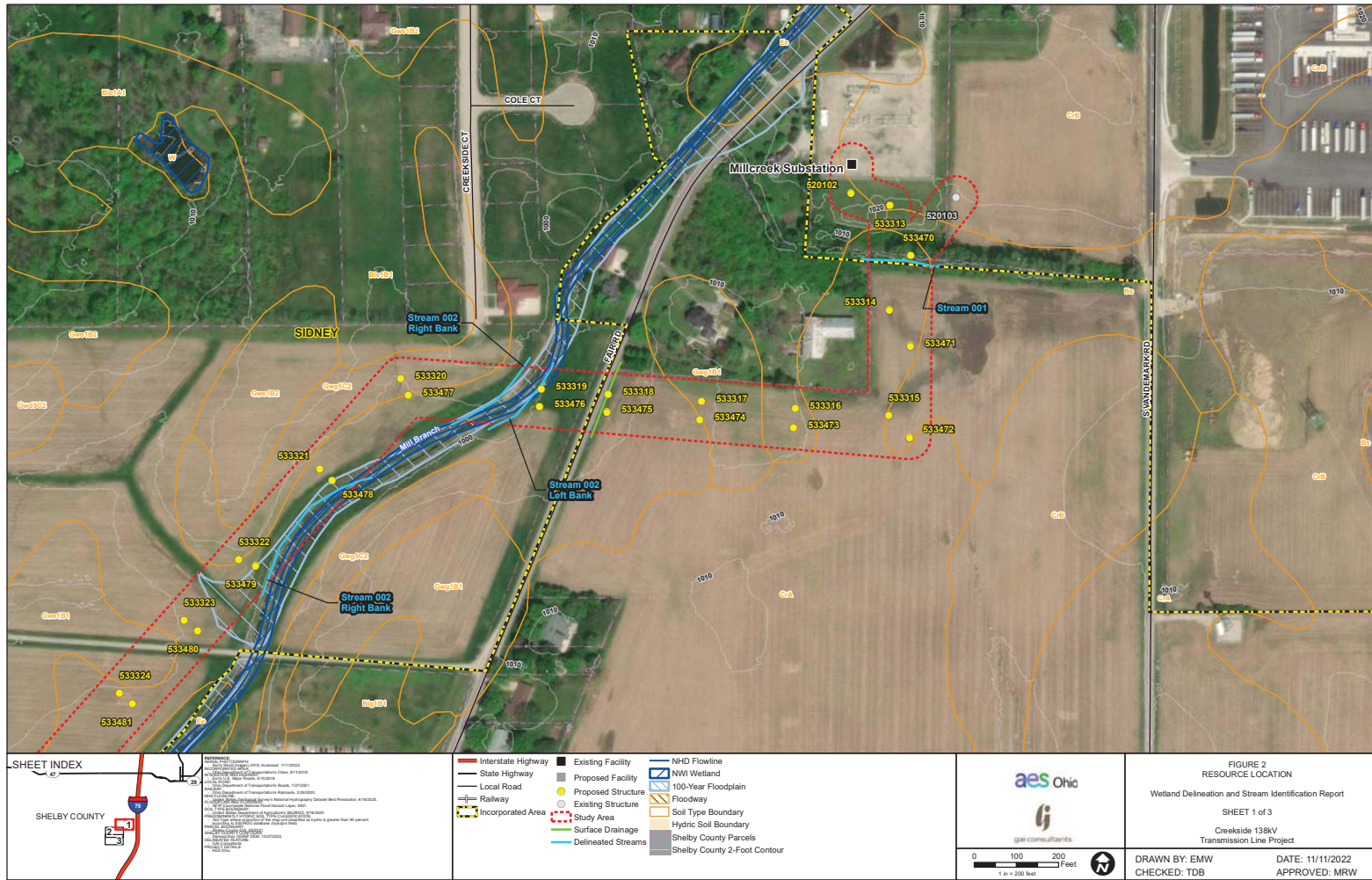


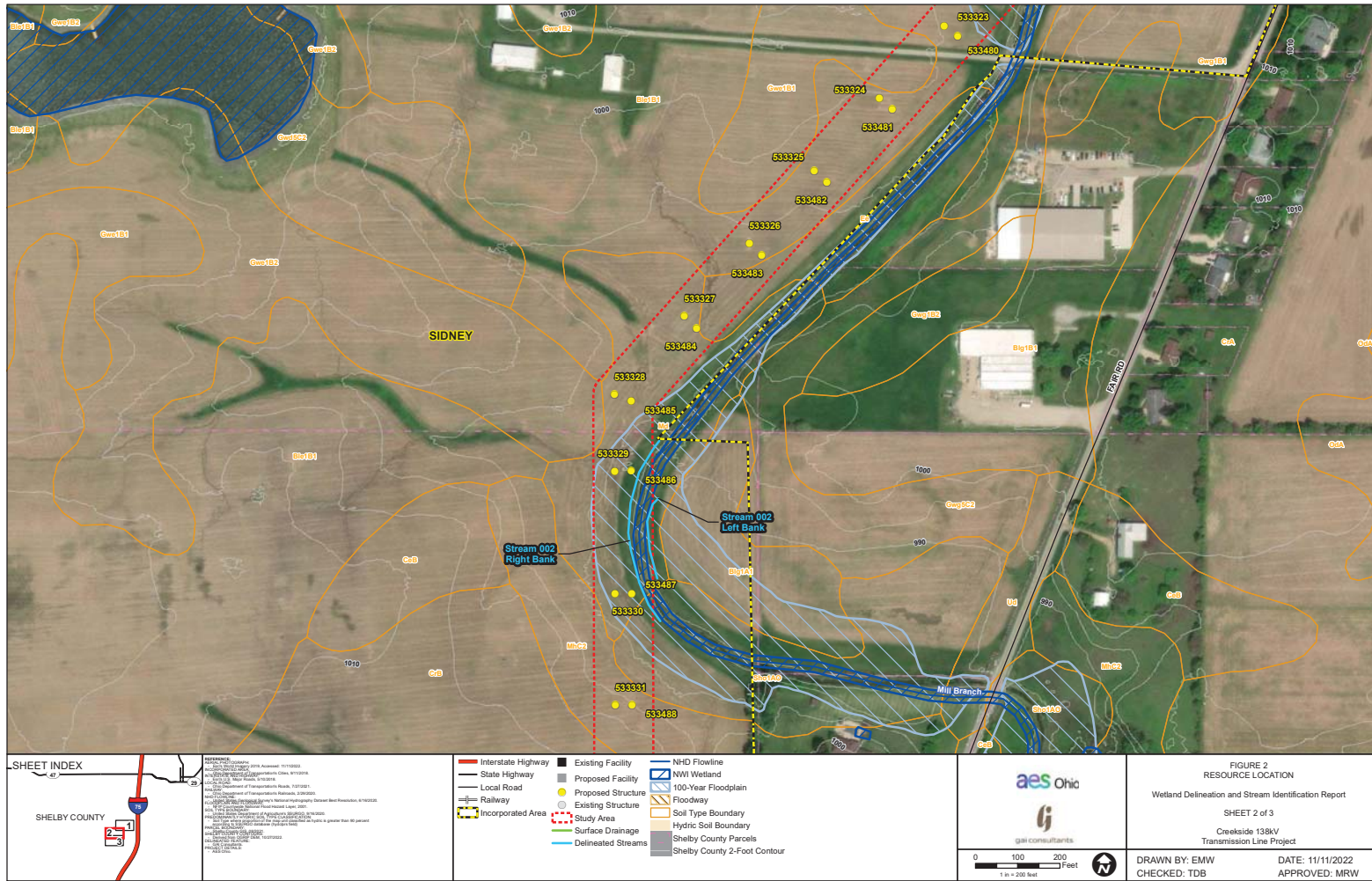
Photograph 3. Stream 02. Upstream
Facing Southwest. (October 25, 2022)



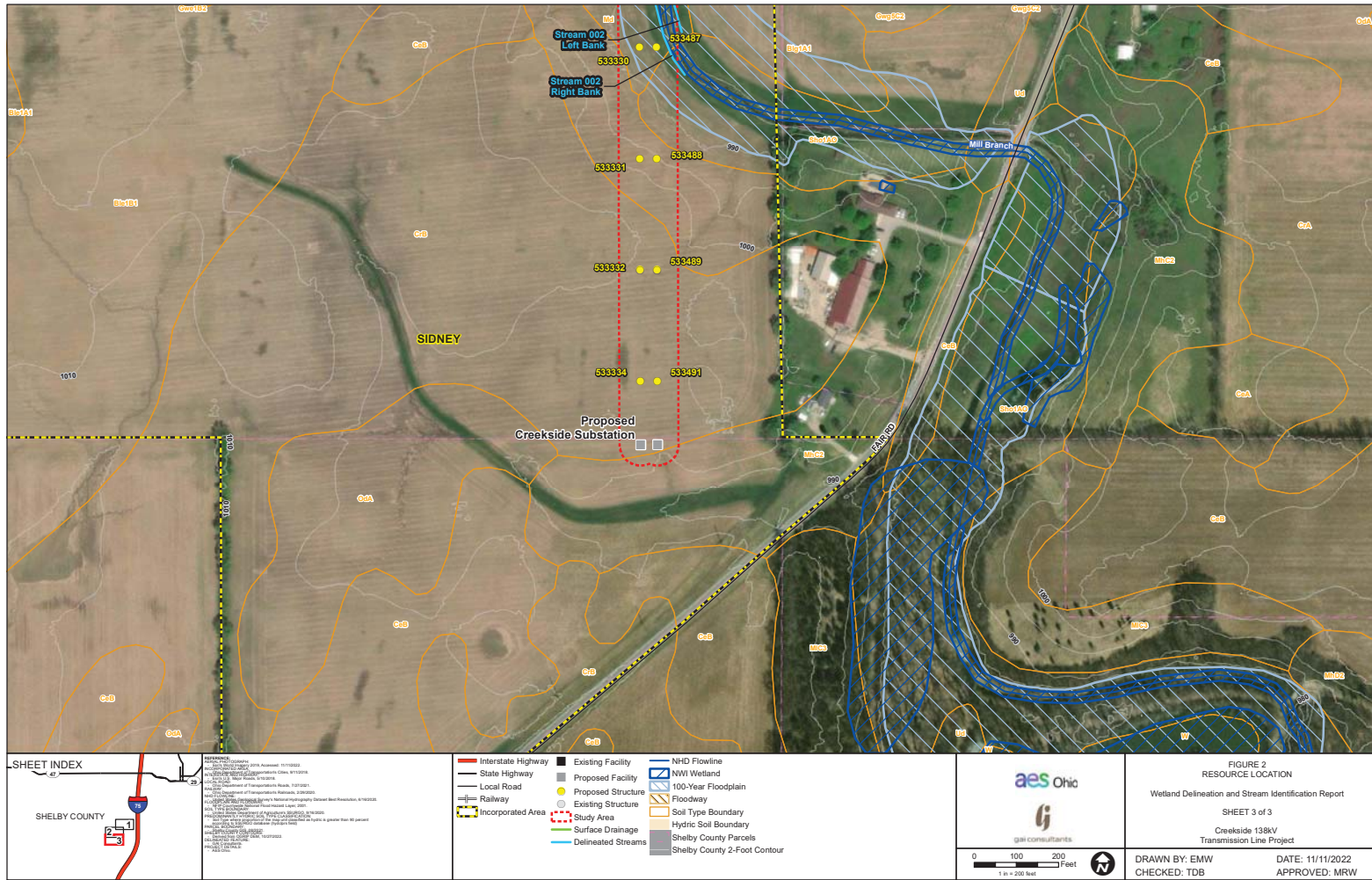
Photograph 4. Stream 02. Downstream
Facing North. (October 25, 2022)

FIGURES





G:_2022\IR220931.00 - GIS\MXD\WDSIR\220931_00_Millcreek_to_Eldan_WDSIR_FIG2_Resource_Location_Sheets_2022_11_11.mxd





SHEET INDEX

SHELBY COUNTY

REFERENCES

- 1. Ohio Department of Natural Resources, 11/10/2021
- 2. Ohio Department of Natural Resources, 11/10/2021
- 3. Ohio Department of Natural Resources, 11/10/2021
- 4. Ohio Department of Natural Resources, 11/10/2021
- 5. Ohio Department of Natural Resources, 11/10/2021
- 6. Ohio Department of Natural Resources, 11/10/2021
- 7. Ohio Department of Natural Resources, 11/10/2021
- 8. Ohio Department of Natural Resources, 11/10/2021
- 9. Ohio Department of Natural Resources, 11/10/2021
- 10. Ohio Department of Natural Resources, 11/10/2021

LEGEND

- Interstate Highway
- State Highway
- Local Road
- Railway
- Incorporated Area
- Existing Facility
- Proposed Facility
- Study Area
- Delineated Streams
- NHD Flowline
- OH WQS Stream

OEPA NWP Eligibility

- Ineligible
- Possibly Eligible
- Eligible

aes Ohio

gis consultants

0 100 200 Feet

1 in = 200 feet

N

FIGURE 3

STREAM ELIGIBILITY

Wetland Delineation and Stream Identification Report

SHEET 1 of 3

Creekside 138kV Transmission Line Project

DRAWN BY: EMW
CHECKED: TDB

DATE: 11/15/2022
APPROVED: MRW



SHEET INDEX

SHELBY COUNTY

REFERENCES

- 1. Ohio Department of Natural Resources, Wetland Inventory, 1/1/2018
- 2. Ohio Department of Natural Resources, Wetland Inventory, 1/1/2018
- 3. Ohio Department of Natural Resources, Wetland Inventory, 1/1/2018
- 4. Ohio Department of Natural Resources, Wetland Inventory, 1/1/2018
- 5. Ohio Department of Natural Resources, Wetland Inventory, 1/1/2018
- 6. Ohio Department of Natural Resources, Wetland Inventory, 1/1/2018
- 7. Ohio Department of Natural Resources, Wetland Inventory, 1/1/2018
- 8. Ohio Department of Natural Resources, Wetland Inventory, 1/1/2018
- 9. Ohio Department of Natural Resources, Wetland Inventory, 1/1/2018
- 10. Ohio Department of Natural Resources, Wetland Inventory, 1/1/2018

Legend

- Interstate Highway
- State Highway
- Local Road
- Railway
- Incorporated Area
- Existing Facility
- Proposed Facility
- Study Area
- Delineated Streams
- NHD Flowline
- OH WQS Stream

OEPA NWP Eligibility

- Ineligible
- Possibly Eligible
- Eligible

Scale

0 100 200 Feet

1 in = 200 feet

Logos

aes Ohio

gis consultants

FIGURE 3

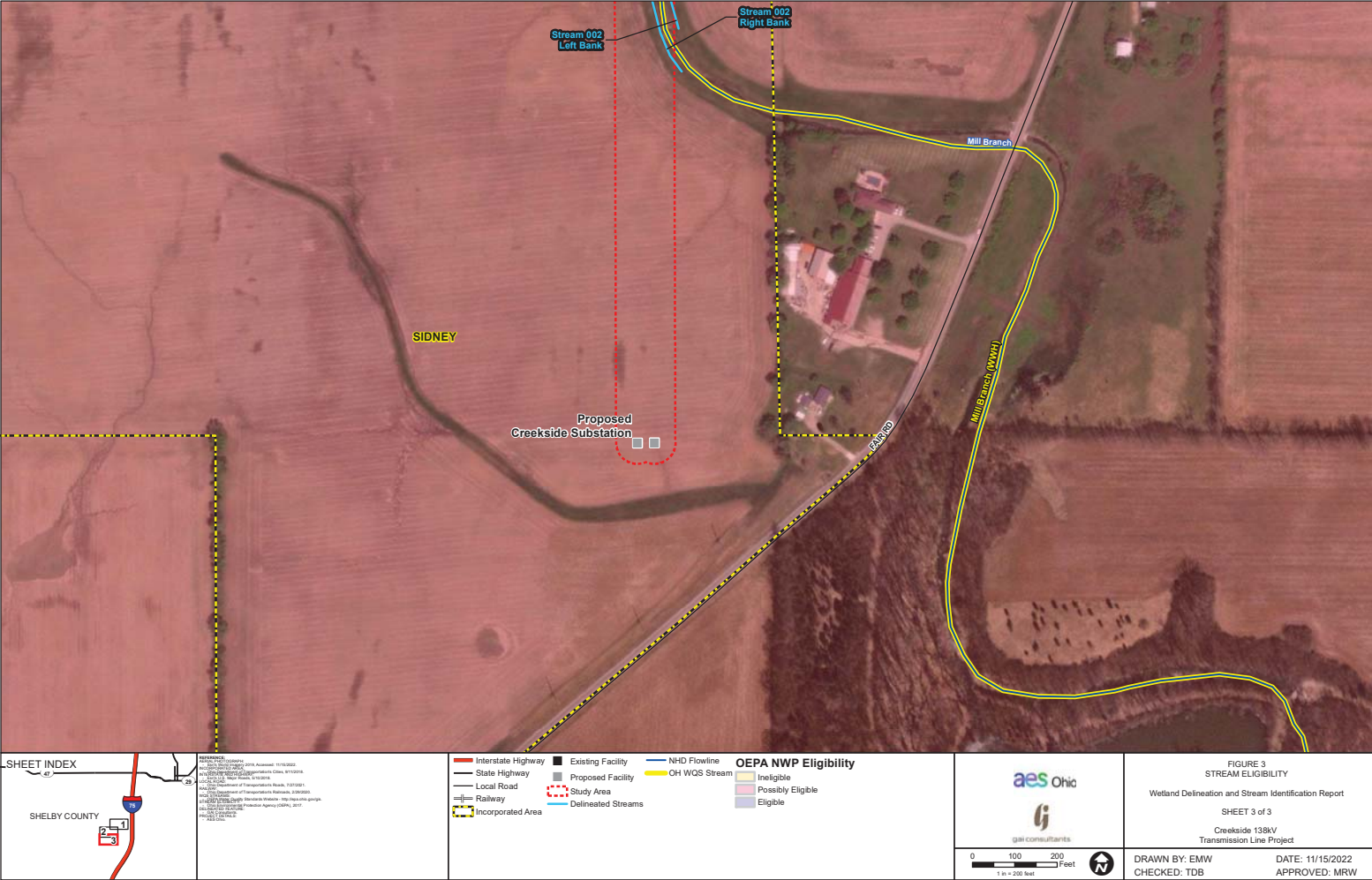
STREAM ELIGIBILITY

Wetland Delineation and Stream Identification Report

SHEET 2 of 3

Creekside 138KV Transmission Line Project

DRAWN BY: EMW
CHECKED: TDB
DATE: 11/15/2022
APPROVED: MRW



APPENDIX A

Descriptions of Soils Found Within the Project Study Area

<u>Soil Unit Symbol</u>	<u>Soil Unit Name</u>	<u>Acres</u>	<u>Predominantly Hydric¹</u>	<u>% within Study Area</u>
Bs	Brookston silty clay loam, fine texture, 0 to 2 percent slopes	0.72	Y	3.8%
CrA	Crosby silt loam, Southern Ohio Till Plain, 0 to 2 percent slopes	1.80	N	9.6%
CrB	Crosby silt loam, 2 to 6 percent slopes	3.35	N	17.9%
Ee	Eel silt loam, 0 to 2 percent slopes, occasionally flooded	0.44	N	2.4%
Md	Medway silt loam, occasionally flooded	2.49	N	13.3%
MhC2	Miamian silt loam, 6 to 12 percent slopes, eroded	1.23	N	6.6%
Gwg5C2	Glynwood clay loam, ground moraine, 6 to 12 percent slopes, eroded	0.91	N	4.8%
Sho1AO	Shoals silt loam, 0 to 2 percent slopes, occasionally flooded	0.34	N	1.8%
Ble1B1	Blount silt loam, end moraine, 2 to 4 percent slopes	6.39	N	34.2%
Geg1B1	Glynwood silt loam, ground moraine, 2 to 6 percent slopes	0.55	N	2.9%
Gwe1B1	Glynwood silt loam, end moraine, 2 to 6 percent slopes	0.39	N	2.1%
Gwe1B2	Glynwood silt loam, end moraine, 2 to 6 percent slopes, eroded	0.08	N	0.4%
TOTAL:		18.69		100%

Notes:

- ¹ Predominantly hydric soil units are defined as those where the "proportion of the map unit, expressed as a class, that is "hydric", based on the hydric classification of individual map unit components" is greater than 50 percent according to the USDA SSURGO Database.

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

Case No(s). 22-0947-EL-BLN

Summary: Notification Letter for Creekside 138kV Transmission Line Project
electronically filed by Ms. Sarah Howdeshelt on behalf of Dayton Power & Light
Company d/b/a AES Ohio