

APPENDIX A

Tables – Wetland Data Point Summary, Wetlands Summary, Streams Summary and Ponds Summary

**Table 1. Wetland Data Point Summary
Dixon Run Solar Project
Jackson County, Ohio**

Wetland Data Point	Wetland Hydrology Present	Hydrophytic Vegetation Present	Hydric Soil Present	Wetland ID
DP-1	Yes	Yes	Yes	Wetland A
DP-2	No	No	No	N/A
DP-3	Yes	Yes	Yes	Wetland B
DP-4	No	No	No	N/A
DP-6	No	No	No	N/A
DP-7	Yes	Yes	Yes	Wetland C
DP-8	Yes	Yes	Yes	Wetland D
DP-9	Yes	Yes	Yes	Wetland E
DP-10	Yes	Yes	Yes	Wetland F
DP-11	No	No	No	N/A
DP-12	No	No	No	N/A
DP-13	No	No	No	N/A
DP-14	Yes	Yes	Yes	Wetland G
DP-15	No	No	No	N/A
DP-18	No	No	No	N/A
DP-23	No	No	No	N/A
DP-25	Yes	Yes	Yes	Wetland L
DP-28	Yes	Yes	Yes	Wetland N
DP-30	Yes	Yes	Yes	Wetland O
DP-31	No	No	No	N/A
DP-32	No	No	No	N/A
DP-33	Yes	Yes	Yes	Wetland P
DP-34	No	No	No	N/A
DP-35	Yes	Yes	Yes	Wetland Q
DP-36	No	No	No	N/A
DP-39	Yes	Yes	Yes	Wetland R
DP-40	No	No	No	N/A
DP-43	Yes	Yes	Yes	Wetland S
DP-47	No	No	No	N/A
DP-48	Yes	Yes	Yes	Wetland V
DP-50	No	No	No	N/A
DP-51	Yes	Yes	Yes	Wetland X
DP-52	No	No	No	N/A
DP-53	Yes	Yes	Yes	Wetland Y
DP-54	No	No	No	N/A
DP-56	Yes	Yes	Yes	Wetland Z
DP-57	No	No	No	N/A
DP-60	Yes	Yes	Yes	Wetland BB

DP-61	No	No	No	N/A
DP-64	Yes	Yes	Yes	Wetland DD
DP-65	No	No	No	N/A
DP-66	Yes	Yes	Yes	Wetland EE
DP-67	No	No	No	N/A
DP-68	Yes	Yes	Yes	Wetland FF
DP-69	No	No	No	N/A
DP-70	No	No	No	N/A
DP-71	No	No	No	N/A
DP-72	Yes	Yes	Yes	Wetland GG
DP-73	No	No	No	N/A
DP-74	Yes	Yes	Yes	Wetland HH
DP-75	No	No	No	N/A
DP-76	Yes	Yes	Yes	Wetland II
DP-77	No	No	No	N/A
DP-78	Yes	Yes	Yes	Wetland JJ
DP-79	Yes	Yes	Yes	Wetland KK
DP-80	No	No	No	N/A
DP-81	Yes	Yes	Yes	Wetland LL
DP-82	Yes	Yes	Yes	Wetland MM
DP-83	No	No	No	N/A
DP-84	Yes	Yes	Yes	Wetland NN
DP-85	No	No	Yes	N/A
DP-86	Yes	Yes	Yes	Wetland OO
DP-87	No	No	No	N/A
DP-88	Yes	Yes	Yes	Wetland PP
DP-89	No	No	No	N/A
DP-90	Yes	Yes	Yes	Wetland QQ
DP-91	No	No	No	N/A
NOTES:				
Wetland presence/absence was determined by Hull based on current regulatory guidance and subject to verification by the USACE.				

**Table 2: Wetlands Summary
Dixon Run Solar Project
Jackson County, Ohio**

Resource ID	Coordinates		USGS 8-Digit HUC	Hydrologic Connection ¹	Regulatory Jurisdiction ¹	Cowardin Classification ¹	ORAM Score ²	ORAM Category ²	Wetland Area within Ecological Study Area (ac)
	Latitude	Longitude							
Wetland A	39.007306	-82.515884	05090101	Isolated	Ohio EPA	PEM/PSS/PFO	39.5	2	0.132
Wetland B	39.004456	-82.519301	05090101	Isolated	Ohio EPA	PFO	36	2	0.359
Wetland C	39.001604	-82.519646	05090101	Isolated	Ohio EPA	PEM/PSS	31.5	2	0.489
Wetland D	39.003022	-82.518017	05090101	Abutting	USACE	PSS/PFO	23.5	1	0.145
Wetland E	39.003579	-82.517637	05090101	Isolated	Ohio EPA	PEM/PSS	32.5	2	0.118
Wetland F	39.004987	-82.517758	05090101	Isolated	Ohio EPA	PEM	14	1	0.013
Wetland G	39.005937	-82.523295	05090101	Isolated	Ohio EPA	PFO	25	1	0.128
Wetland L	39.012020	-82.507898	05090101	Adjacent	USACE	PFO	41	2	0.095
Wetland N	39.015306	-82.505511	05090101	Isolated	Ohio EPA	PEM/PSS	18	1	0.607
Wetland O	39.006561	-82.506924	05090101	Adjacent	USACE	PEM/PSS	21	1	1.611
Wetland P	39.001008	-82.513758	05090101	Isolated	Ohio EPA	PEM	14	1	0.121
Wetland Q	39.009135	-82.504585	05090101	Isolated	Ohio EPA	PFO	22.5	1	0.164
Wetland R	39.007425	-82.505686	05090101	Abutting	USACE	PEM/PSS/PFO	46.5	2	0.232
Wetland S	39.001010	-82.496994	05090101	Abutting	USACE	PEM	20	1	0.131
Wetland V	39.004898	-82.494306	05090101	Abutting	USACE	PEM/PFO	31	1	0.080

**Table 2: Wetlands Summary
Dixon Run Solar Project
Jackson County, Ohio**

Resource ID	Coordinates		USGS 8-Digit HUC	Hydrologic Connection ¹	Regulatory Jurisdiction ¹	Cowardin Classification ¹	ORAM Score ²	ORAM Category ²	Wetland Area within Ecological Study Area (ac)
	Latitude	Longitude							
Wetland X	39.002055	-82.489705	05090101	Isolated	Ohio EPA	PEM/PSS	15	1	0.833
Wetland Y	39.002072	-82.486233	05090101	Isolated	Ohio EPA	PFO	22	1	0.148
Wetland Z	39.000268	-82.490548	05090101	Isolated	Ohio EPA	PFO	22	1	0.304
Wetland BB	39.000328	-82.497616	05090101	Abutting	USACE	PEM	21	1	0.429
Wetland DD	38.993781	-82.513840	05090101	Isolated	Ohio EPA	PEM	11	1	0.092
Wetland EE	38.992732	-82.522962	05090101	Isolated	Ohio EPA	PEM/PSS	21	1	4.551
Wetland FF	38.994352	-82.527882	05090101	Isolated	Ohio EPA	PEM	19	1	1.063
Wetland GG	38.989128	-82.526004	05090101	Isolated	Ohio EPA	PEM	13	1	0.465
Wetland HH	38.987389	-82.526025	05090101	Isolated	Ohio EPA	PEM	24	1	0.565
Wetland II	38.986266	-82.524087	05090101	Isolated	Ohio EPA	PEM/PFO	31	2	2.855
Wetland JJ	38.986634	-82.524727	05090101	Isolated	Ohio EPA	PEM/PSS	17	1	0.187
Wetland KK	38.990654	-82.513319	05090101	Isolated	Ohio EPA	PEM/PFO	27	1	0.820
Wetland LL	38.990087	-82.512277	05090101	Isolated	Ohio EPA	PEM/PSS	28	1	1.720
Wetland MM	38.989717	-82.514089	05090101	Isolated	Ohio EPA	PEM	13	1	0.127
Wetland NN	38.992472	-82.533431	05090101	Isolated	Ohio EPA	PFO	42	2	0.219

**Table 2: Wetlands Summary
Dixon Run Solar Project
Jackson County, Ohio**

Resource ID	Coordinates		USGS 8-Digit HUC	Hydrologic Connection ¹	Regulatory Jurisdiction ¹	Cowardin Classification ¹	ORAM Score ²	ORAM Category ²	Wetland Area within Ecological Study Area (ac)
	Latitude	Longitude							
Wetland OO	38.993074	-82.516397	05090101	Abutting	USACE	PFO/PEM	39	2	0.747
Wetland PP	38.991197	-82.524477	05090101	Abutting	USACE	PFO/PSS/PEM	36.5	2	1.175
Wetland QQ	38.989581	-82.523123	05090101	Adjacent	USACE	PEM	22	1	0.588

NOTES:

¹Determined by Hull based on current regulatory guidance, subject to verification by the USACE.

²Determined by Hull, subject to verification by the Ohio EPA.

ACRONYMS:

USGS: U.S. Geologic Survey

HUC: Hydrologic Unit Code

ORAM: Ohio Rapid Assessment Method

USACE: U.S. Army Corps of Engineers

Ohio EPA: Ohio Environmental Protection Agency

**Table 3: Streams Summary
Dixon Run Solar Project
Jackson County, Ohio**

Resource ID	Stream Name	Coordinates		USGS 8-Digit HUC	Flow Regime ¹	Regulatory Jurisdiction ¹	HHEI Score ²	QHEI Score ²	Drainage Area (Sq. Miles)	OEPA: OAC 3745-1-07 Aquatic Life Use Designation	401 WQC NWP Stream Eligibility	Average OHWM Width (ft)	Stream Length within Ecological Study Area (LF)	Stream Area within Ecological Study Area (ac)
		Latitude	Longitude											
Stream 1	UNT to Dickason Run	39.006877	-82.518100	05090101	Intermittent	USACE	40	NA	<0.001	None	Eligible	2.50	69.55	0.004
Stream 2	UNT to Dickason Run	39.007549	-82.517178	05090101	Intermittent	USACE	52	NA	0.11	None	Eligible	5.50	258.77	0.033
Stream 4	UNT to Dickason Run	39.003497	-82.520943	05090101	Perennial	USACE	67	NA	0.19	None	Eligible	7.83	427.25	0.077
Stream 5	UNT to Dickason Run	39.001759	-82.516719	05090101	Ephemeral	Ohio EPA	30	NA	0.1	None	Eligible	1.50	1246.82	0.043
Stream 13	UNT to Dickason Run	39.012047	-82.509159	05090101	Intermittent	USACE	66	NA	0.11	None	Eligible	4.00	5.77	0.001
Stream 20	UNT to Dickason Run	39.005721	-82.492647	05090101	Perennial	USACE	56	NA	0.08	None	Eligible	3.80	512.65	0.045
Stream 22	UNT to Dickason Run	39.004629	-82.48936	05090101	Intermittent	USACE	41	NA	0.05	None	Eligible	3.00	512.63	0.035
Stream 26	UNT to Dixon Run	38.992460	-82.515685	05090101	Intermittent	USACE	33	NA	0.13	None	Eligible	5.00	291.06	0.033
Stream 29	UNT to Dickason Run	38.987824	-82.525418	05090101	Perennial	USACE	53	NA	0.17	None	Eligible	3.00	87.05	0.006

NOTES:

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²Determined by Hull, subject to verification by the Ohio EPA.

ACRONYMS:

USGS: U.S. Geologic Survey

HUC: Hydrologic Unit Code

HHEI: Headwater Habitat Evaluation Index

QHEI: Qualitative Habitat Evaluation Index

OEPA: Ohio Environmental Protection Agency

OAC: Ohio Administrative Code

WQC: Water Quality Certification

NWP: Nationwide Permit

OHWM: Ordinary High Water Mark

USACE: U.S. Army Corps of Engineers

Ohio EPA: Ohio Environmental Protection Agency

**Table 4: Ponds Summary
Dixon Run Solar Project
Jackson County, Ohio**

Resource ID	Coordinates		Pond Type/Description	USGS 8-Digit HUC	Cowardin Classification ¹	Hydrologic Connection ¹	Regulatory Jurisdiction ¹	Pond Area within Ecological Study Area (acres)
	Latitude	Longitude						
Pond 1	39.006113	-82.522345	Remnant Mining Pond	05090101	PUB	Isolated	Ohio EPA/TBD	0.459
Pond 3	39.005026	-82.515881	Remnant Mining Pond	05090101	PUB	Isolated	Ohio EPA/TBD	1.229
Pond 4	39.001191	-82.523165	Remnant Mining Pond	05090101	PUB	Isolated	Ohio EPA/TBD	0.237
Pond 5	39.001797	-82.519434	Remnant Mining Pond	05090101	PUB	Isolated	Ohio EPA/TBD	0.053
Pond 6	39.002822	-82.518025	Remnant Mining Pond	05090101	PUB	Abutting	USACE	0.134
Pond 8	39.009189	-82.506479	Remnant Mining Pond	05090101	PUB	Isolated	Ohio EPA/TBD	0.070
Pond 10	38.998135	-82.507260	Remnant Mining Pond	05090101	PUB	Isolated	Ohio EPA/TBD	0.713
Pond 12	39.001863	-82.486272	Remnant Mining Pond	05090101	PUB	Isolated	Ohio EPA/TBD	0.153
Pond 14	39.002014	-82.498900	Remnant Mining Pond	05090101	PUB	Isolated	Ohio EPA/TBD	0.250
Pond 15	38.992982	-82.522055	Remnant Mining Pond	05090101	PUB	Isolated	Ohio EPA/TBD	0.174
Pond 16	38.995076	-82.528268	Remnant Mining Pond	05090101	PUB	Isolated	Ohio EPA/TBD	0.984
Pond 17	38.993873	-82.527510	Remnant Mining Pond	05090101	PUB	Isolated	Ohio EPA/TBD	1.177
Pond 18	38.992678	-82.530642	Remnant Mining Pond	05090101	PUB	Isolated	Ohio EPA/TBD	0.901
Pond 19	38.985919	-82.523385	Remnant Mining Pond	05090101	PUB	Isolated	Ohio EPA/TBD	5.112
Pond 20	38.988707	-82.511808	Remnant Mining Pond	05090101	PUB	Isolated	Ohio EPA/TBD	0.141

**Table 4: Ponds Summary
Dixon Run Solar Project
Jackson County, Ohio**

Resource ID	Coordinates		Pond Type/Description	USGS 8-Digit HUC	Cowardin Classification ¹	Hydrologic Connection ¹	Regulatory Jurisdiction ¹	Pond Area within Ecological Study Area (acres)
	Latitude	Longitude						
Pond 21	38.993377	-82.519955	Remnant Mining Pond	05090101	PUB	Isolated	Ohio EPA/TBD	0.666
Pond 22	38.996076	-82.530433	Remnant Mining Pond	05090101	PUB	Isolated	Ohio EPA/TBD	0.061
Pond 23	38.996120	-82.530698	Remnant Mining Pond	05090101	PUB	Isolated	Ohio EPA/TBD	0.050
Pond 24	38.995389	-82.533116	Remnant Mining Pond	05090101	PUB	Isolated	Ohio EPA/TBD	0.013
Pond 25	38.996520	-82.532282	Remnant Mining Pond	05090101	PUB	Isolated	Ohio EPA/TBD	0.016
Pond 26	38.989837	-82.524212	Remnant Mining Pond	05090101	PUB	Isolated	Ohio EPA/TBD	0.182
Pond 27	38.990883	-82.525145	Remnant Mining Pond	05090101	PUB	Isolated	Ohio EPA/TBD	0.300

NOTES:

¹Determined by Hull based on current regulatory guidance, subject to verification by the USACE.

²Determined by Hull, subject to verification by the Ohio EPA.

ACRONYMS:

USGS: U.S. Geologic Survey

HUC: Hydrologic Unit Code

PUB: Palustrine Unconsolidated Bottom

Ohio EPA: Ohio Environmental Protection Agency

APPENDIX B

Wetland Determination Data Forms

Available in Electronic Format

APPENDIX C

ORAM Wetland Evaluation Data Forms

Available in Electronic Format

APPENDIX D

HHEI Stream Evaluation Data Forms

Available in Electronic Format

APPENDIX E

Ecological Study Area Photographs

Available in Electronic Format

Attachment A

Land Use Table

LAND USE WITHIN THE PROJECT AREA

Type	Project Area (Acres)	Project Area (%)
Hay/Pasture	638.378	43.31%
Deciduous Forest	358.014	24.29%
Herbaceous	189.240	12.84%
Mixed Forest	136.320	9.25%
Shrub/Scrub	79.738	5.41%
Evergreen Forest	34.870	2.37%
Barren Land	23.004	1.56%
Developed, Open Space	6.418	0.44%
Open Water	2.425	0.16%
Developed, Low Intensity	2.229	0.15%
Emergent Herbaceous Wetlands	1.334	0.09%
Woody Wetlands	1.147	0.08%
Developed, Medium Intensity	0.713	0.05%
Total	1473.829	100%

Attachment B

Regulations and Agency Correspondence

REGULATORY OVERVIEW

Federal Regulations

SunEnergy1 is seeking a Certificate of Environmental Compatibility and Public Need (CECPN) from the Ohio Power Siting Board (OPSB). The approval process includes review by the U.S. Fish and Wildlife Service (USFWS) and by the U.S. Army Corps of Engineers (USACE) if impacts are proposed to Waters of the U. S. (WOUS).

USFWS review of the Project is required and will consist of consultation with the USFWS regional, Ohio field office under Section 10 or Section 7 of the Endangered Species Act (ESA). Consultation under Section 7 of the ESA must be initiated by the lead federal agency associated with the Project.

The Project is located within the USACE Huntington District. The USACE has sole authority to determine whether wetlands or other water bodies are WOUS (under federal jurisdiction) or isolated (under state jurisdiction). Determinations must be verified by the USACE after review of a delineation report and a field visit by USACE staff. Delineations are typically valid for a period of five years from the date of the USACE delineation verification letter. If the proposed design of the Project will impact WOUS, then SunEnergy1 will obtain the necessary Clean Water Act (CWA) permits prior to any proposed impacts to jurisdictional surface waters.

CWA permits that may be applicable to the Project include Nationwide Permit (NWP) 51 for Land-based Renewable Energy Generation Facilities and NWP 57 for Electric Utility Line and Telecommunications Activities. To comply with the requirements of these NWPs, discharge or fill activities must not cause the loss of greater than ½-acre of Waters of the U.S. and/or 300 linear feet of jurisdictional streams. The USACE has authority to make the final determination about which NWP is applicable to the Project.

FEDERAL REGULATIONS AND COMPLIANCE SUMMARY

TABLE 1

Lead Agency	Agency Permit or Approval	Permit Thresholds
USFWS Ohio Field Office	Clearance for threatened and endangered species under either Section 7 or Section 10 of the Endangered Species Act	The Endangered Species Act of 1973 ensures that any action authorized, funded, or carried out by federal agencies does not jeopardize the continued existence of endangered or threatened species or their designated or proposed critical habitats.
USACE	Clean Water Act Section 404	Discharge of fill material into Waters of the U.S. Section 10 of the Rivers and Harbors Act is not applicable for the Project because there are no navigable waterways in the Project Area.

State and Local Regulations

OPSB CECPN approval also includes review by several state agencies including the Ohio Department of Natural Resources (ODNR), Ohio's State Historic Preservation Office (SHPO), and the Ohio Environmental Protection Agency (Ohio EPA) if impacts are proposed to WOUS or to isolated surface waters of the state.

The ODNR performs Environmental Reviews of a Project's potential effects to federal and state-listed rare, threatened, or endangered species in accordance with Section 1531.25 of the Ohio Revised Code. ODNR manages a local database of previously known locations of listed species as well as specific habitat type locations. The agency will provide comments and Project recommendations with regards to listed species habitat or known locations within the Project vicinity.

SHPO review of the Project is required to determine whether the Project may affect cultural resources. Coordination is conducted in compliance with Section 106 of the National Historic Preservation Act (NHPA).

The Ohio EPA administers Water Quality Certifications (WQC) under Section 401 of the CWA for impacts to jurisdictional WOUS and non-jurisdictional waters of the state. Ohio EPA WQC conditions and limitations apply to NWP 51 and 57. Projects seeking coverage under a NWP must consult the Ohio EPA Stream Eligibility Map to determine whether an Individual 401 WQC is required (Figure 4). If impacts to WOUS exceed Ohio EPA requirements attached to the NWP, then 401 WQC must be obtained through the Ohio EPA directly via a Director's Authorization or 401 Individual Permit. The Ohio EPA also regulates impacts to waters of the state including isolated wetlands and ephemeral streams. An Isolated Wetlands Permit is required for any amount of impacts to isolated wetlands and for greater than 300 linear feet of impacts to ephemeral streams.

STATE REGULATIONS AND COMPLIANCE SUMMARY

TABLE 2

Lead Agency	Agency Permit or Approval	Permit Thresholds
State		
OPSB	Certificate of Environmental Compatibility and Public Need Ohio Administrative Code 4906-4	OPSB has authority to review and approve solar electric generation and transmission facilities that generate 50 MW or more.
ODNR	State rare, threatened, and endangered species Environmental Review Ohio Revised Code 1531.25	The chief of the division of wildlife, with the approval of the wildlife council, shall adopt and may modify and repeal rules, in accordance with Chapter 119 of the Revised Code, restricting the taking or possession of native wildlife, or any eggs or offspring thereof, that he or she finds to be threatened with statewide extinction.
ODNR	In-Water Work Exclusion Dates Waiver	
ODNR	Ohio Cave Protection Act Review Ohio Revised Code 1517.22	
Ohio SHPO	Section 106 Review	Section 106 of the National Historic Preservation Act requires federal agencies to account for potential effects on historic properties and cultural resources. Projects that involve demolition or earthwork must coordinate with SHPO.
Ohio EPA	Clean Water Act Section 401 Water Quality Certification Ohio Revised Code 6111	Discharge of fill material into Waters of the U.S.
Ohio EPA	Isolated Wetlands Permit Ohio Revised Code 6111	Fill or disturbance of isolated wetlands.
Ohio EPA	National Pollution Discharge Elimination System (NPDES) Construction General Permit	The Construction General Permit provides coverage for construction activities with greater than one acre of land disturbance.



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:
Consultation Code: 03E15000-2021-SLI-2046
Event Code: 03E15000-2021-E-02952
Project Name: Dixon Run Solar Project

August 13, 2021

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 <http://www.fws.gov/migratorybirds/RegulationsandPolicies.html>.

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

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

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

Attachment(s):

- Official Species List

Official Species List

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

This species list is provided by:

Ohio Ecological Services Field Office

4625 Morse Road, Suite 104

Columbus, OH 43230-8355

(614) 416-8993

Project Summary

Consultation Code: 03E15000-2021-SLI-2046

Event Code: 03E15000-2021-E-02952

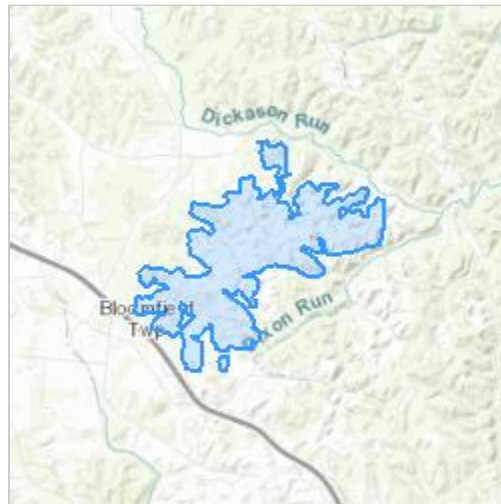
Project Name: Dixon Run Solar Project

Project Type: POWER GENERATION

Project Description: The proposed project is located in Bloomfield Township, Jackson County, Ohio and consists of developing 1,412 acres of previously mined and strip-mined land for a utility-scale solar facility. Infrastructure associated with a solar facility includes photo-voltaic (PV) solar arrays, access roads, underground and overhead utility lines, and electric substation. Construction of the facility will result in impacts to delineated surface waters. Field surveys of the Study Area began on July 19, 2021 and are expected to continue through August 17, 2021. The Study Area consists of open pasture, scrub-shrub old field habitat, and forest. Evidence of the property's mining history is apparent throughout the site.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@38.9989213,-82.51142103423098,14z>



Counties: Jackson County, Ohio

Endangered Species Act Species

There is a total of 3 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.

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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. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> Incidental take of the northern long-eared bat is not prohibited at this location. Federal action agencies may conclude consultation using the streamlined process described at https://www.fws.gov/midwest/endangered/mammals/nleb/s7.html Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Flowering Plants

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

Critical habitats

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

HULL

Environment / Energy / Infrastructure

August 13, 2021

Mr. Mike Pettegrew
Office of Real Estate
Ohio Department of Natural Resources
2045 Morse Rd., Bldg. E-2
Columbus OH, 43229-6693

RE: Environmental Review request for the proposed Dixon Run Solar Project, Bloomfield Township, Jackson County, Ohio; EVD029.0003

Dear Mr. Pettegrew:

Hull and Associates, LLC (Hull) respectfully requests an Environmental Review of the proposed Dixon Run Solar Project located in Bloomfield Township, Jackson County, Ohio. The project consists of developing 1,412 acres of previously mined and strip-mined land for a utility-scale solar facility. Infrastructure associated with a solar facility includes photo-voltaic (PV) solar arrays, access roads, underground and overhead utility lines, and electric substation. Construction of the facility will result in impacts to delineated surface waters. Field surveys of the Study Area began on July 19, 2021 and are expected to continue through August 17, 2021. The Study Area consists of open pasture, scrub-shrub/old-field habitat, and forest. Evidence of the property's mining history is apparent throughout the site. Coordination is requested in compliance with the Endangered Species Act (ESA), Fish and Wildlife Coordination Act (FWCA), the Clean Water Act (CWA), Coastal Zone Management Act (CZMA), and the National Environmental Policy Act (NEPA).

The CenterPoint of the Study Area is located at the following latitude/longitude coordinates:
39.999678°, - 82.515058° (Wellston, Mulga, Oak Hill, and Rio Grande Ohio USGS Quadrangles)

This letter requests information from the Ohio Department of Natural Resources, Division of Wildlife, Natural Heritage Database for records within a one-mile radius of the proposed Study Area. In addition to the standard data requested on the form, we are also requesting all known Indiana bat hibernacula locations within a five-mile radius and Indiana bat capture locations within a 10-mile radius of the Study Area.

Should you require any additional information or have any questions concerning this request, please feel free to contact Helena Hayter at (614) 362-4809 or by email at hhayter@hullinc.com.

Sincerely,



Helena Hayter
Project Ecologist

Attachments: Project Location and 7.5-Minute USGS Topographic Map (Figure 1), Project Vicinity Map on Aerial Imagery (Figure 2), and Study Area Shapefiles.