

United States Department of the Interior



FISH AND WILDLIFE SERVICE

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



October 30, 2024

Project Code: 2024-0130394

Dear Trina L. Woodland:

The U.S. Fish and Wildlife Service (Service) 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 effects 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: Due to the project, type, size, and location, we do not anticipate adverse effects to federally endangered, threatened, or proposed species or proposed or designated critical habitat. If there are any project modifications during the term of this action, or additional information for listed or proposed species or their critical habitat becomes available, or if new information reveals effects of the action that were not previously considered, then please contact us for additional project review.

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,

Erin Knoll
Field Office Supervisor



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Ohio Ecological Services Field Office
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In Reply Refer To:

08/14/2024 17:34:17 UTC

Project code: 2024-0130394

Project Name: Crooksville WW Pump Station Improvements

Federal Nexus: yes

Federal Action Agency (if applicable): Appalachian Regional Commission

Subject: Record of project representative's no effect determination for 'Crooksville WW Pump Station Improvements'

Dear Trina Woodland:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on August 14, 2024, for 'Crooksville WW Pump Station Improvements' (here forward, Project). This project has been assigned Project Code 2024-0130394 and all future correspondence should clearly reference this number. **Please carefully review this letter.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (Dkey), invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.***

Determination for the Northern Long-Eared Bat

Based upon your IPaC submission and a standing analysis, your project has reached the determination of "No Effect" on the northern long-eared bat. To make a no effect determination, the full scope of the proposed project implementation (action) should not have any effects (either positive or negative), to a federally listed species or designated critical habitat. Effects of the action are all consequences to listed species or critical habitat that are caused by the proposed

action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (See § 402.17).

Under Section 7 of the ESA, if a federal action agency makes a no effect determination, no consultation with the Service is required (ESA §7). If a proposed Federal action may affect a listed species or designated critical habitat, formal consultation is required except when the Service concurs, in writing, that a proposed action "is not likely to adversely affect" listed species or designated critical habitat [50 CFR §402.02, 50 CFR§402.13].

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- American Burying Beetle *Nicrophorus americanus* Threatened
- Indiana Bat *Myotis sodalis* Endangered
- Monarch Butterfly *Danaus plexippus* Candidate
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

You may coordinate with our Office to determine whether the Action may affect the animal species listed above and, if so, how they may be affected.

Next Steps

Based upon your IPaC submission, your project has reached the determination of "No Effect" on the northern long-eared bat. If there are no updates on listed species, no further consultation/coordination for this project is required with respect to the northern long-eared bat. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the Service should take place to ensure compliance with the Act.

If you have any questions regarding this letter or need further assistance, please contact the Ohio Ecological Services Field Office and reference Project Code 2024-0130394 associated with this Project.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Crooksville WW Pump Station Improvements

2. Description

The following description was provided for the project 'Crooksville WW Pump Station Improvements':

The Village of Crooksville is seeking to replace two wastewater Lift Stations (B1 & B6). The proposed project is located in Perry County, Harrison Township within the Village of Crooksville. The Lift Stations are nearing the end of their useful life and are critical to the operation of the village's wastewater collection system. Lift Station B1 is located on the north side of East Main Street west of Sycamore Street, and Lift Station B6 is at the northeast corner of State Street and Mohican Drive. The replacement lift stations are within the limits of the Village of Crooksville and will be constructed adjacent to the existing systems. A new 10-inch force main will connect the replacement B1 lift station to the existing 10-inch force main running to Roseville, and a new 4-inch force main will connect the replacement B6 lift station to the same existing force main. The two replacement lift stations will use submersible pumps installed in HDPE wet wells. The majority of construction activities will be subsurface and will not affect the viewshed. The new segment of force main that will enable Lift Station B1 to pump to Roseville will be installed by horizontal directional drilling within the State Street right of way from South Delaware Drive to the existing force main near new Lift Station B6. All construction activities will occur within the developed urban area of the Village of Crooksville. The new 10" Force Main that will be extended from South Delaware Drive to the existing 10" Force Main north of Mohican Drive will be constructed solely within the road right-of-way. Horizontal drilling will be used to cross under N. State Street. All construction activities will be subsurface.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@39.77236165,-82.09205788473635,14z>



DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the Endangered northern long-eared bat (*Myotis septentrionalis*). Therefore, no consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required for those species.

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. Does any component of the action involve construction or operation of wind turbines?

Note: For federal actions, answer 'yes' if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

3. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

4. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

No

5. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

Note: This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

Yes

6. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

No

7. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

No

8. Have you determined that your proposed action will have no effect on the northern long-eared bat? Remember to consider the [effects of any activities](#) that would not occur but for the proposed action.

If you think that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, answer “No” below and continue through the key. If you have determined that the northern long-eared bat does not occur in your project’s action area and/or that your project will have no effects whatsoever on the species despite the potential for it to occur in the action area, you may make a “no effect” determination for the northern long-eared bat.

Note: Federal agencies (or their designated non-federal representatives) must consult with USFWS on federal agency actions that may affect listed species [50 CFR 402.14(a)]. Consultation is not required for actions that will not affect listed species or critical habitat. Therefore, this determination key will not provide a consistency or verification letter for actions that will not affect listed species. If you believe that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, please answer “No” and continue through the key. Remember that this key addresses only effects to the northern long-eared bat. Consultation with USFWS would be required if your action may affect another listed species or critical habitat. The definition of [Effects of the Action](#) can be found here: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

PROJECT QUESTIONNAIRE

Will all project activities be completed by November 30, 2024?

No

IPAC USER CONTACT INFORMATION

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State: OH

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LEAD AGENCY CONTACT INFORMATION

Lead Agency: Appalachian Regional Commission

Name: Julia Hinten

Email: Julia.Hinten@development.ohio.gov

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