



**Department of
Natural Resources**
ohiodnr.gov

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Re: 26-1224_F-005785 Pipeline Maintenance

Project: The proposed project involves exposing, repairing, and reburying a defective portion of a gas pipeline.

Location: The proposed project is located in Mantua Township, Portage County, Ohio.

Approximate Center Coordinates: 41.2818, -81.1967

The Ohio Department of Natural Resources (ODNR) has completed a review of the above referenced project. These comments were generated by an inter-disciplinary review within the Department. These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the National Environmental Policy Act, the Coastal Zone Management Act, Ohio Revised Code and other applicable laws and regulations. These comments are also based on ODNR's experience as the state natural resource management agency and do not supersede or replace the regulatory authority of any local, state, or federal agency nor relieve the applicant of the obligation to comply with any local, state, or federal laws or regulations.

Natural Areas and Preserves: The Division of Natural Areas and Preserves has the following Rare Plant and State Nature Preserve comments.

Multiple rare plant records have been documented within close proximity to the F-005785 pipeline maintenance project include: little yellow sedge (*Carex cryptolepis*, state threatened), bunchflower (*Veratrum virginicum*, state threatened), water avens (*Geum rivale*, state potentially threatened), autumn willow (*Salix serissima*, state potentially threatened), yellow sedge (*Carex flava*, state potentially threatened), rose pogonia (*Pogonai ophioglossoides*, state threatened), grass-pink (*Calopogon tuberosus*, state threatened), lesser panicled sedge (*Carex diandra*, state threatened),

hoary willow (*Salix candida*, state threatened), small cranberry (*Vaccinium oxycoccos*, state threatened), prairie brome (*Bromus kalmii*, state potentially threatened), Baltic rush (*Juncus balticus*, state potentially threatened), spotted coral-root (*Corallorhiza maculata*, state endangered), bog aster (*Symphyotrichum boreale*, state potentially threatened), bearded wheat grass (*Elymus trachycaulus*, state threatened), white wand lily (*Anticlea elegans*, state potentially threatened), dragon's mouth (*Arethusa bulbosa*, state endangered), and bog bedstraw (*Galium labradoricum*, state endangered). Due to the possible disruption of these species, a pre-construction survey of the proposed project site, including all laydown areas, should be conducted to ensure that these plants and any other rare species within the proposed construction limits are avoided and not impacted. Long term protection of rare flora species should also be considered and should include limiting the use of herbicidal spraying in their vicinity. For survey coordination or further discussion, please contact the Division of Natural Areas and Preserves' Chief Botanist, Rick Gardner. Mr. Gardner can be contacted directly at richard.gardner@dnr.ohio.gov or (614) 265-6419.

The proposed project's limit of disturbance, as presented on the Redhorse Environmental map, appears to span three separate parcels two of which are owned by the Division of Natural Areas and Preserves (the Mantua Bog State Nature Preserve) and the third privately owned but with an existing conservation easement through the Ohio Scenic Rivers Program. The scope of work will likely impact the Headwaters Hike and Bike Trail which transects the preserve and is managed by the Portage Park District.

Due to the potential for environmental and recreational impact to high-quality Division of Natural Areas and Preserves property interests, the following must be addressed before the commencement of work:

- The project construction must take place entirely within the confines of the right of way . If the project requires work to be performed outside of the project limits, namely impacting the Mantua Bog State Nature Preserve and Ohio Scenic Rivers Program conservation easement, the project manager must coordinate with the Division of Natural Areas and Preserves to obtain the necessary approvals before any such work commences.
- Buckeye Partners must contact the Portage Park District and coordinate with them regarding any access requirements or potential impacts to visitor use as a result of the project scope of work.
- Site disturbance caused during construction must be promptly addressed by Buckeye Partners immediately following completion of the project which may include regrading, trail repairs, and habitat restoration. Buckeye Partners shall consult with the Division of Natural Areas and Preserves and the Portage Park District regarding the appropriate strategy for restoration.

In addition to the conditions above, Buckeye Partners must incorporate the following best management practices into the final plan set and adhere to them for the duration of the project:

- **Erosion Controls:** A sediment and erosion control plan should be developed for the project and implemented before earthwork commences. Temporary sediment and erosion controls should be implemented and maintained until final site stabilization is achieved. Attention should be given to any drainage ways, ditches and streams that could convey sediment laden water directly to state scenic rivers and nature preserves. All temporary sediment and erosion controls should be removed upon completion of project stabilization. All denuded areas should be permanently seeded and mulched (or fiber mat) immediately upon completion of earthwork or temporarily seeded and mulched (or fiber mat) within 7 days if the area is to remain idle for more than 30 days. Straw bales are not permitted as a form of erosion control. Buckeye Partners shall especially pay close attention to and must make every effort to mitigate runoff and siltation from the exaction of materials to limit the impact into the northern wetland which drains under the Hike and Bike Trail into the Mantua Bog State Nature Preserve.
- **Storage of Fuels, Petrochemicals and Equipment:** Idle equipment, petrochemicals and toxic/hazardous materials should not be stored in the floodplain or near any drainage ways, ditches or streams that could convey such materials to state scenic rivers, state nature preserves or any of their tributaries. Petrochemicals and toxic/hazardous materials should not be discharged into any state scenic rivers or preserves, their floodplains or any of their tributary drainage ways, ditches or streams. Refueling of equipment should not occur in the floodplain or near any tributary drainage ways, ditches or streams.
- **Spill Prevention:** The project developer should develop a Spill Prevention Countermeasure and Contingency Plan (SPCC) in the event of a spill or break in an equipment hydraulic line which may discharge into waters of the state. All spills must be reported to the Ohio Spill Line (1-800-282-9378) in accordance with OAC 3750.06.
- **Material Disposal:** All construction debris, earthen debris, excess asphalt or concrete, wood debris from clearing, excess fill material, and trash should be disposed of at an approved upland site or land fill above 100-year flood elevations. Disposal of any such materials in wetlands, floodplains or within 1000 feet of state scenic rivers is prohibited.
- **Clearing and Grubbing:** All vegetation should be left undisturbed to the maximum extent possible. Any disturbed property should be returned to previously existing contours and elevations. Care should be taken to not girdle or scuff tree trunks or damage any standing trees.
- **Invasive Species Prevention:** All earthmoving equipment shall be thoroughly cleaned before entering the site to prevent the spread of invasive species. Only the spoil from the work site may be used to refill any excavations. Topsoil or any other fill material from an off-site source may not be utilized.
- **Habitat Assessment:** Throughout the course of the project, Buckeye Partners shall ensure that the work site is safe, clean and inspected daily for any hazards or potentially harmful impacts

to visitors or the ecology which may include daily pre-mobilization surveys for reptiles and amphibians as well as any other species of wildlife.

Please contact the Northeast Ohio Regional Preserve Manager, Adam Wohlever at Adam.Wohlever@dnr.ohio.gov or (330) 527-5118 and Jeffry Hayes, Northeast Ohio Regional Scenic River Manager, jeffry.hayes@dnr.ohio.gov or (614) 546-8067 for further project coordination. Both shall be invited to a pre-construction meeting with the contractor present and be notified of the project start date one week prior to the commencement of work. Periodic inspections of the project should take place to ensure requirements are being met. Mr. Wohlever and Mr. Hayes shall also be contacted prior to completion of the project to conduct a final site inspection. The final site inspection should be scheduled while the contractor is present to ensure that final site stabilization has been achieved.

Natural Heritage Database: The Natural Heritage Database has the following data at or within one mile of the project area:

White Wand-lily (*Anticlea elegans*), P
Dragon's-mouth (*Arethusa bulbosa*), E
Prairie Brome (*Bromus kalmii*), P
Grass-pink (*Calopogon tuberosus*), T
Brownish Sedge (*Carex brunnescens*), T
Little Yellow Sedge (*Carex cryptolepis*), T
Lesser Panicked Sedge (*Carex diandra*), T
Yellow Sedge (*Carex flava*), P
Spotted Coral-root (*Corallorhiza maculata*), E
Bearded Wheat Grass (*Elymus trachycaulus*), T
Green Cotton-grass (*Eriophorum viridicarinatum*), T
Bog Bedstraw (*Galium labradoricum*), E
Water Avens (*Geum rivale*), P
Baltic Rush (*Juncus balticus*), P
Scarlet Beebalm (*Monarda didyma*), T
Rose Pogonia (*Pogonia ophioglossoides*), T
White Beak-rush (*Rhynchospora alba*), P
Hoary Willow (*Salix candida*), T
Autumn Willow (*Salix serissima*), P
Bog Aster (*Symphyotrichum boreale*), U
Small Cranberry (*Vaccinium oxycoccos*), T
Bunchflower (*Veratrum virginicum*), T
Eastern Pondmussel (*Sagittunio nasutus*), T
Brush-tipped emerald (*Somatochlora walshii*), E
Boreal fen plant community

Mixed shrub swamp plant community

Conservation status abbreviations are as follows: E = state endangered; T = state threatened; P = state potentially threatened; SC = state species of concern; SI = state special interest; U = state status under review; X = presumed extirpated in Ohio; FE = federally endangered, and FT = federally threatened. Records for high quality plant communities indicate the presence of sites that are in our inventory of the best remaining examples of Ohio's pre-settlement ecosystems.

The review was performed on the specified project area as well as an additional one-mile radius. Records searched date from 1980. Features searched include locations of rare and endangered plants and animals determined to be of value to the conservation of their species, high quality plant communities, animal breeding assemblages, and outstanding geological features.

Location records for a subset of the species and features listed above are provided in a shapefile attachment to this letter. The locations provided are for the subset of records within your project area. Please note that Ohio has not been completely surveyed and we rely on receiving information from many sources. Therefore, a lack of records for an area is not a statement that rare species or unique features are absent from that area.

Fish and Wildlife: The Division of Wildlife (DOW) has the following comments.

The DOW recommends that impacts to streams, wetlands and other water resources be avoided and minimized to the fullest extent possible, and that Best Management Practices be utilized to minimize erosion and sedimentation.

The entire state of Ohio is within the range of the Indiana bat (*Myotis sodalis*), a state endangered and federally endangered species, the northern long-eared bat (*Myotis septentrionalis*), a state endangered and federally endangered species, the little brown bat (*Myotis lucifugus*), a state endangered species, and the tricolored bat (*Perimyotis subflavus*), a state endangered species. During the spring and summer (April 1 through September 30), these species of bats predominately roost in trees behind loose, exfoliating bark, in crevices and cavities, or in clusters of dead leaves on tree limbs. However, these species are also dependent on the forest structure surrounding roost trees. If trees are present within the project area, and trees must be cleared, the DOW recommends tree and/or tree limb clearing only occur from October 1 through March 31, conserving trees with loose, shaggy bark and/or crevices, holes, or cavities, as well as trees with a Diameter Breast Height (DBH) ≥ 20 " if possible. If trees are present within the project area, and trees and/or tree limbs must be cleared during the summer months, the DOW recommends a mist net survey or acoustic survey be conducted from June 1 through August 15, prior to any clearing. Mist net and acoustic surveys should be conducted in accordance with the most recent version of the [OHIO DIVISION OF WILDLIFE AND U.S. FISH AND WILDLIFE SERVICE \(OH-FIELD OFFICE\) JOINT GUIDANCE FOR BAT SURVEYS](#). If state-listed bats are documented, DOW recommends tree clearing only occur from October 1 through March 31. However,

limited summer tree clearing may be acceptable after consultation with the DOW (contact Eileen Wyza at Eileen.Wyza@dnr.ohio.gov).

For every project, the DOW also recommends that a winter bat habitat assessment is conducted to determine if potential hibernacula are present within the project area. This is to limit possible disturbances that seasonal tree clearing and/or subsurface work (e.g., trenching, blasting, etc.) may cause to hibernating bats. Potential hibernacula include rocky outcroppings, caves, and underground mines. Direction on how to conduct winter habitat assessments can be found in the joint guidance linked above. If a potential or known hibernaculum is found, the DOW recommends a 0.25-mile permanent tree clearing buffer around the hibernaculum entrance. Limited summer or winter tree clearing may be acceptable after consultation with the DOW. If a habitat assessment for projects involving subsurface disturbance finds that a potential hibernaculum is present within 5 miles of the project area, please consult with Eileen Wyza for project recommendations. If no tree clearing or subsurface impacts to a hibernaculum are proposed, this project is not likely to impact these species.

The DOW recommends that all impacts to karst features be avoided to the greatest extent practicable. Subsurface ground disturbance and tree clearing around cave entrances have the potential to affect sensitive species that reside within karst habitats. To help identify known and potential karst features, refer to The Division of Geological Survey's [online interactive karst map](#).

The project is within the range of the clubshell (*Pleurobema clava*), a state endangered and federally endangered mussel, the sharp-ridged pocketbook (*Lampsilis ovata*), a state endangered mussel, and the eastern pondmussel (*Ligumia nasuta*), a state threatened mussel. Due to the location, and that there is no in-water work proposed in a perennial stream, this project is not likely to impact these species.

The project is within the range of the Iowa darter (*Etheostoma exile*), a state endangered fish, the mountain brook lamprey (*Ichthyomyzon greeleyi*), a state endangered fish, the northern brook lamprey (*Ichthyomyzon fossor*), a state endangered fish, the American eel (*Anguilla rostrata*), a state threatened fish, and the lake chubsucker (*Erimyzon sucetta*), a state threatened fish. Due to the location, and that there is no in-water work proposed in a perennial stream, this project is not likely to impact these species.

The project is within the range of the eastern massasauga (*Sistrurus catenatus*), a state endangered and a federally threatened snake species. The eastern massasauga uses a range of habitats including wet prairies, fens, and other wetlands, as well as drier upland habitat. Due to the location, the type of habitat within the project area, and the type of work proposed, this project is not likely to impact this species.

The project is within the range of the smooth greensnake (*Opheodrys vernalis*), a state endangered species. This species is primarily a prairie inhabitant but can also be found in marshy meadows and

roadside ditches. Due to the location, the type of habitat within the project area, and the type of work proposed, this project is not likely to impact this species.

The project is within the range of the spotted turtle (*Clemmys guttata*), a state threatened species. This species prefers fens, bogs and marshes, but also is known to inhabit wet prairies, meadows, pond edges, wet woods, and the shallow sluggish waters of small streams and ditches. The DOW recommends that an approved herpetologist conducts a habitat suitability survey to determine if suitable habitat is present within the project area. If suitable habitat is determined to be present; the DOW recommends that a presence/absence survey be conducted, or an avoidance/minimization plan be developed and implemented by the approved herpetologist. A list of [approved herpetologists](#) has been provided for your convenience.

The project is within the range of the northern harrier (*Circus hudsonius*), a state endangered bird. This is a common migrant and winter species. Nesters are much rarer, although they occasionally breed in large marshes and grasslands. Harriers often nest in loose colonies. The female builds a nest out of sticks on the ground, often on top of a mound. Harriers hunt over grasslands. If this type of habitat will be impacted, construction should be avoided in this habitat during the species' nesting period of April 15 through July 31. If this habitat will not be impacted, this project is not likely to impact this species.

The project is within the range of the sandhill crane (*Antigone canadensis*), a state threatened species. Sandhill cranes are primarily a wetland-dependent species. On their wintering grounds, they will utilize agricultural fields; however, they roost in shallow, standing water or moist bottomlands. On breeding grounds, they require a rather large tract of wet meadow, shallow marsh, or bog for nesting. If grassland, prairie, or wetland habitat will be impacted, construction should be avoided in this habitat during the species' nesting period of April 1 through August 31. If this habitat will not be impacted, this project is not likely to have an impact on this species.

Due to the potential for impacts to federally listed species, as well as to state-listed species, we recommend that this project be coordinated with the US Fish & Wildlife Service.

The Divisions of Water Resources, Forestry, and Mineral Resources Management have not conducted a project specific review and/or comments; however, the guidance provided below should be reviewed by the Environmental Review applicant for applicability on this project and subsequent compliance as applicable.

Water Resources: If the subject project is in a floodplain regulated by the Federal Emergency Management Agency (FEMA), the [local floodplain administrator](#) should be contacted concerning the possible need for any floodplain permits or approvals. The FEMA National Flood Hazard Layer (NHFL) Viewer [website](#) can be utilized to see if the project is in a FEMA regulated floodplain. If the project is not in a FEMA regulated floodplain, then no further action is required.

Ohio Revised Code (ORC) Section 1521.16 mandates that any owner of a property or a facility that has the capacity of withdrawing 100,000 gallons per day (gpd) of water from groundwater, surface water, or both must register with the Division of Water Resources' [Water Withdrawal Facilities Registration \(WWFR\) Program](#) and report their withdrawals annually.

Additional coordination may be required depending on the location of the withdrawal and consumptive use. Permitting may be required for:

- New or increased consumptive use of water averaging 2 million gallons per day (mgd) within 30 days within the Ohio River basin.
- New or increased withdrawal and consumptive water use in the Lake Erie watershed averaging 1 million gallons per day (mgd) or more in 90 days.
- New or increased water withdrawal directly from Lake Erie averaging 2.5 million gallons per day (mgd) or more in 90 days.
- Diversion or movement of water across the Ohio River and Lake Erie basin divide.

If the project does not involve activities that are subject to water withdrawal regulatory requirements as described above, then no further action is required. For more information, visit the [Water Inventory & Planning website](#).

Forestry: The Division of Forestry recommends that construction projects preserve existing trees to the greatest extent possible. Failing to consider trees during any phase of project development (e.g. planning, design, preconstruction, construction, landscaping and/or postconstruction) can compromise tree health and structural integrity. Preserving trees during a construction project involves protecting the soil, roots, trunks, and crowns of trees. Protection barriers should be visible and extend around the root zone, the area under the tree that extends beyond the drip zone. There should be no storage of material or traffic within this established zone. Trees should be monitored throughout the project and steps taken to remedy any impacts. Projects should consider Best Management Practices (BMPs) during construction and the [Purdue Extension document Construction and Trees: Guidelines for Protection](#) is recommended as a resource for BMPs. Certified arborists can be located through the [International Society of Arboriculture website](#). Please note that tree preservation practices may also be required under municipal ordinances.

Mineral Resources: For projects requiring earth disturbance, the Ohio Mines Locator ([ODNR Mines of Ohio Viewer](#)) should be referenced. Both current and abandoned mines with either underground or surface features should be identified, and project impacts evaluated. Please reference the [Ask Before You Build](#) development guide for information about abandoned mine land features. Division of Mineral Resources Management may be contacted for further information and guidance regarding development of mined lands. Contact minerals@dnr.ohio.gov for further information.

ODNR appreciates the opportunity to provide these comments. Please contact Mike Pettegrew (Environmental Services Administrator) at mike.pettegrew@dnr.ohio.gov if you have questions about these comments or need additional information.

Expiration: *ODNR Environmental Reviews are typically valid for 2 years from the issuance date. If the scope of work, project area, construction limits, and/or anticipated impacts to natural resources have changed significantly from the original project submittal, then a new Environmental Review request should be submitted.*