



KENTUCKY DEPARTMENT OF FISH & WILDLIFE RESOURCES

Rich Storm
Commissioner

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Gabe Jenkins
Deputy Commissioner

August 4, 2026

Civil & Environmental Consultants, Inc.
Attn: Jonathan B. Frodge
10300 Alliance Road, Suite 300
Cincinnati, Ohio 45242
Sent via e-mail

RE: Threatened and Endangered Species Technical Assistance
Project Code: 2025-0130986
Project Code: (Acoustic Bat Survey) 2025-0130986
Proposed Duke Energy UL45 Extension
Independence, Kenton County, Kentucky
CEC Project 353-564

Dear Mr. Frodge:

The Kentucky Department of Fish and Wildlife Resources (KDFWR) has received your request for comment regarding the threatened and endangered species habitat assessment completed for the proposed Duke Energy UL45 Extension Certificate. It is understood that this response will be utilized in the request to obtain a Certificate of Public Convenience and Necessity (CPCN) from the Kentucky Public Service Commission (KPSC). KDFWR staff have reviewed the habitat assessment and bat acoustic survey report and agree with the findings as presented.

KDFWR has no additional concerns regarding federal or state-listed threatened / endangered species, designated critical habitat, wildlife management areas, or other properties managed by KDFWR. The following recommendations are provided as general guidance for development of pipeline projects submitted to KDFWR for review. In general, impacts to fish and wildlife resources may be avoided and / or minimized by following the guidance provided below:

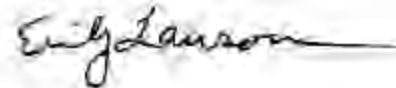
- KDFWR recommends that erosion control measures be developed and implemented prior to construction to reduce siltation into waterways located within/near the project area. Such erosion control measures may include—but are not limited to—silt fences, staked straw bales, brush barriers, sediment basins, and diversion ditches. Erosion control measures will need to be inspected regularly and repaired as needed. If blanket-style matting is used for erosion control, please avoid using the nylon monofilament

netting as it can entangle and kill wildlife. An alternative blanket style control is organic coir matting, which degrades naturally and provides excellent soil protection and moisture retention for seed germination—as well as controlling erosion runoff without unnecessarily impacting wildlife.

- Development/excavation in streams should be avoided when possible. KDFWR recommends directionally drilling stream crossings to avoid instream impacts. If stream impacts cannot be avoided, limit activities to periods of low flow to minimize disturbance. When crossing a stream, the pipe should be laid perpendicular to the stream bank to minimize the direct impacts to the streambed (rather than parallel). Perpendicular alignments help reduce short-term and long-term effects to streams. KDFWR recommends that all instream disturbances be returned to a stable condition upon completion of stream pipeline crossing.
- USFWS Coordination for compliance with the Endangered Species Act: Please coordinate with the US Fish and Wildlife Service for compliance with the Endangered Species Act and for specific recommendations to minimize adverse effects to listed species. The USFWS may have seasonal requirements for removing trees, especially those greater than 3" in diameter-at-breast height. Limiting the removal of these trees to the winter months will minimize potential impacts to many species of bats, several of which are listed as threatened or endangered.

Thank you for coordinating with KDFWR. Please contact Emily Lawson at 502-892-4472 or emilym.lawson@ky.gov if you have further questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Emily Lawson", with a long, sweeping horizontal line extending to the right.

Emily Lawson
Environmental Coordinator