AMERICAN TRANSMISSION SYSTEMS, INCORPORATED & TOLEDO EDISON FIRSTENERGY COMPANIES

CONSTRUCTION NOTICE

CHRYSLER-DOWLING 138 kV TRANSMISSION LINE TAP EXTENSION TO NEW FIRST SOLAR SUBSTATION PROJECT

OPSB CASE NO.: 17-1674-EL-BNR

August 10, 2017

American Transmission Systems, Incorporated
76 South Main Street
Akron, Ohio 44308

Toledo Edison
76 South Main Street
Akron, Ohio 44308

CONSTRUCTION NOTICE
CHRYSLER-DOWLING 138 kV TRANSMISSION LINE
EXTENSION TO NEW FIRST SOLAR SUBSTATION PROJECT

The following information is being provided in accordance with the procedures in the Ohio Administrative Code (OAC) Chapter 4906-6 for the application and review of Accelerated Certificate Applications. Based upon the requirements found in Appendix A to OAC Rule 4906-1-01, this Project qualifies for submittal to the Ohio Power Siting Board ("Board") as a Construction Notice application.

4906-6-05: ACCELERATED APPLICATION REQUIREMENTS

4906-6-05: Name and Reference Number

Name of Project:	Chrysler-Dowling 138 kV Transmission Line Extension to New First Solar Substation Project ("Project").
2017 LTFR Reference:	This Project is not included in the FirstEnergy Corp. 2017 Long Term Forecast Report submitted to the Public Utility Commission of Ohio ("PUCO") in Case Number 17-0913-EL-FOR.

4906-6-05 (B)(1): Brief Description of the Project

In this Project, American Transmission Systems, Incorporated ("ATSI") and Toledo Edison ("TE"), FirstEnergy companies, are proposing to install a new approximately 260-foot long transmission line extension to a new substation from the existing Chrysler-Dowling 138 kV Transmission Line. When complete, ATSI and TE will be serving two separate First Solar Substations, as seen in Exhibit 3.

The existing Chrysler-Dowling 138 kV Transmission Line Tap to First Solar Substation will be extended to the second and new First Solar Substation. This transmission line extension begins at Structure # 12876, as shown in Exhibit 3. This structure will either be modified or replaced from a corner deadend to a 3-way strain structure depending on the final engineering analysis. Two (2) additional structures will be installed as part of the transmission tap line extension.

The general location of the Project is shown in Exhibit 1, a partial copy of the United States Geologic Survey, Wood County OH, Quad Map, ID number 041083e5. Exhibit 2 is a copy of Bing aerial imagery of the Project area. The Project is located at 28101 Cedar Park Blvd, Perrysburg, OH, 43551. The general layout is shown in Exhibit 3. The Project will be located in Perrysburg Township, Wood County Ohio

4906-6-05 (B)(1): Letter of Notification Requirement

The Project meets the requirements for a Construction Notice because the Project is within the types of projects defined by Item (1)(a) of the Application Requirement Matrix for Electric Power Transmission Lines, Appendix A of OAC Rule 4906-1-01. This item states:

> *(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 operating at a higher transmission voltage, as follows:*
>
> *(b) Line(s) not greater than 0.2 miles in length.*

The proposed Project is within the requirements of Item (1)(b) as it involves extending the existing Chrysler Dowling transmission line 260 feet (0.05 miles) to the new substation on the First Solar property.

4906-6-05 (B)(2): Need For the Project

The Project is needed because First Solar is installing a third transformer to handle an approximate 9.4 MVA increase in load to their existing facility.

4906-6-05 (B)(3): Location of the Project Relative to Existing or Proposed Lines

The location of the Project relative to existing or proposed lines is shown in the ATSI Transmission Network Map, included as part of the confidential portion of the FirstEnergy Corp. 2017 Long-Term Forecast Report. This map was submitted to the PUCO in Case No. 17-913-EL-FOR under Rule 4901:5-5:04 (C)(2)(b) of the Ohio

Administrative Code. The map is incorporated by reference only. This map shows ATSI's 345 kV and 138 kV transmission lines and transmission substations including the Chrysler-Dowling 138 kV Transmission Line. The Project area is located approximately 3 $^{1}/_{10}$ inches (11" x 17" printed version) from the left edge of the map and 1 $^{7}/_{10}$ inches (11" x 17" printed version) from the top of the map. The general location and layout of the Project area is shown in Exhibit 1 and 2.

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

The general area of the Project was carefully considered to identify potential routes for the Project that are constructible, minimize potential impacts to the extent practical, and meet the needs of the Project. Due to the proximity to the existing Chrysler-Dowling 138 kV Transmission Line Tap and the proposed location for the new First Solar Substation on customer owned property, no alternative routes for the Project were considered.

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

ATSI's and TE's manager of External Affairs will advise local officials of the features and the status of the proposed Project as necessary. ATSI and TE will maintain a copy of this Construction Notice on FirstEnergy's website. Letters will be sent to affected property owners at least 7 days before construction begins on the Project informing them of the Project's start and a proposed timeframe of construction and restoration activities.

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

The construction schedule for this Project is expected to begin as early as November 13, 2017 and be completed by December 22, 2017.

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

Exhibit 1 depicts the general location of the Project. This Exhibit provides a partial copy of the United States Geological Survey, Wood County OH, quadrangle map (Quad Order ID o41083e5). Exhibit 2 is a copy of Bing aerial imagery of the Project area.

4906-6-05 (B)(8): Property Owner List

The Project is located on new and existing right-of-way and new right-of-way is required for the Project. Table 1 contains a list of property owners affected by the project.

Table 1: Property Owner List

Parcel Number	Property Owner	Property Address	Easement Status
P57-400-020000920200	New York Central Lines	Railroad Corridor	Easement Obtained
P57-400-020001001000	First Solar Inc.	28101 Cedar Park Blvd. Perrysburg, OH 43551	New Easement To Be Obtained

4906-6-05 (B)(9): TECHNICAL FEATURES OF THE PROJECT

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

The transmission line construction will have the following characteristics:

Voltage: 138 kV

Conductors: 336.4 kcmil 26/7 ACSR

Static Wire: 3#6 Alumoweld

Insulators: Polymer

ROW Width: 60 feet

Structure Types: Exhibit 4: Single circuit, steel pole deadend 30-40 Degrees. One (1) structure is needed.

Exhibit 5: Single circuit, steel pole deadend 80-90 degrees. One (1) structure is needed.

Exhibit 6: Single circuit, wood pole 3-way deadend. One (1) structure is needed.

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

The closest occupied residence or institution is approximately 135 feet from the proposed transmission line centerline therefore no Electric and Magnetic Field ("EMF") calculations are required by this code provision.

4906-6-05 (B)(9)(c): Estimated Cost

The estimated capital cost for the proposed Project is approximately $492,000.

4906-6-05 (B)(10): SOCIAL AND ECOLOGICAL IMPACTS

4906-6-05 (B)(10)(a): Land Uses

The Project is located in Perrysburg Township, Wood County Ohio. The main land uses around the Project are industrial and as a railroad corridor.

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

Agricultural land does not exist within the Project's disturbance area.

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

ATSI and TE conducted a search of Ohio Historic Preservation Office ("OHPO") online database was conducted to identify the existence of any significant archeological or cultural resource sites within 0.5 miles of the Project Area. The results of the search are shown in Exhibit 7.

The OHPO database includes all Ohio listings on the National Register of Historic Places ("NRHP"), including districts, sites, building, structures, and objects that are significant in American history, architecture, archeology, engineering, and culture. The results of the search indicate that no listed NRHP sites and NRHP eligible sites were identified within 0.5 miles of the Project potential disturbance area.

The OHPO database also includes listing of the Ohio Archaeological Inventory ("OAI"), the Ohio Historic Inventory ("OHI"), previous cultural resource surveys, and the Ohio Genealogical Society ("OGS") cemetery inventory. No OAI listed archeological resources, OHI structure resources, cultural or archeological surveys, or OSG cemeteries have been previously inventoried within 0.5 miles of the Project area.

Given the lack of identifiable cultural and archeological resources and the location on an industrial site in an area that have been previously disturbed, no impacts to any cultural or archeological resources are anticipated for the Project.

4906-6-05 (B)(10)(d): Local, State, and Federal Requirements

There are no known additional government agency requirements that are needed at the time of this filing.

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

ATSI and TE submitted a request to the Ohio Department of Natural Resources ("ODNR") Office of Real Estate to conduct an Environmental Review on April 4, 2017. As part of the Environmental Review, the ODNR Office of Real Estate conducted a search of the ODNR Division of Wildlife's Natural Heritage Database to research the presence of any endangered, threatened, or rare species within one (1) mile of the Project area. The ODNR's Office of Real Estate's response on June 13, 2017. indicated that one (1) federal and state endangered species, four (4) state endangered species, and two (2) state threatened species are within the range of the identified Project area. A copy of ODNR's Office of Real Estate's response is included as Exhibit 8.

ATSI and TE also submitted a request to the US Fish and Wildlife Service ("USFWS") for an Ecological Review on April 4, 2017 to research the presence of any endangered, threatened, or rare species within one (1) mile of the Project area. A copy of USFWS's Ecological Review response is included as Exhibit 9. The USFWS's response on April 12, 2017 indicated that the Project area is within the range of one (1) federal and state endangered, and one (1) federally threatened species. A list of all endangered, threatened, and rare species, as identified by ODNR and USFWS, is provided in Table 2.

Table 2. List of Endangered, Threatened, and Rare Species.

Table 6: List of Endangered, Threatened, and Rare Species				
Common Name	**Scientific Name**	**Federal Listed Status**	**State Listed Status**	**Affected Habitat**
Indiana Bat	*Myotis sodalis*	Endangered	Endangered	Trees & Forest
Northern Long-Ear Bat	*Myotis septentrionalis*	Threatened	N/A	Trees & Forest
Pondhorn Mussel	*Uniomerus tetralasmus*	N/A	Threatened	Perennial Stream
Western Banded Killifish	*Fundulus diaphananus menona*	N/A	Endangered	Perennial Stream
Spotted Turtle	*Clemmys guttata*	N/A	Threatened	Wetlands, lakes and streams
Northern Harrier	*Circus cyaneus*	N/A	Endangered	Marshes and Grasslands
Lark Sparrow	*Chondestes grammacus*	N/A	Endangered	Grasslands
Upland Sandpiper	*Bartramia longicauda*	N/A	Endangered	Grasslands

The response from ODNR and USFWS indicated the federal and state endangered Indiana Bat (*Myotis sodalis*) and the federal threatened Northern Long-Eared Bat (*Myotis septentrionalis*) are within the range of the Project. No tree clearing is needed for the Project as it is in an existing cleared right-of-way. Therefore, no impacts to these species are anticipated.

The response from ODNR indicated that the state threatened pondhorn mussel (*Uniomerus tetralasmus*) is within the range of the Project Area. This species inhabits perennial streams however, no in-water work is proposed for the Project; therefore, no impacts are anticipated for this species.

The response from ODNR indicated that the state endangered western banded killifish (*Fundulus diaphananus menona*) and is within the range of the Project Area. This species

inhabits perennial streams however, no in-water work is proposed for the Project; therefore, no impacts are anticipated for this species.

The response from ODNR indicated that the Project is within the range of the state threatened spotted turtle (*Clemmys guttata*). No impacts to this species are expected due to the Project's location and lack of habitat suitable for this species within the planned limits of construction.

The response from ODNR indicated that the Project is within the range of two (2) other state endangered species, the lark sparrow (*Chondestes grammacus*) and the northern harrier (*Circus cyaneus*). These species usually live and hunts in marshes and grasslands, however they are both migratory birds. Therefore, no impacts to these species are anticipated due to the Project's location and lack of habitat suitable for this species within the planned limits of construction.

The response from ODNR indicated that the Project is within the range of the upland sandpiper (*Bartramia longicauda*). This species usually lives and nests grasslands. No impacts to this species are anticipated due to the Project's location and lack of habitat suitable for this species within the planned limits of construction.

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

ATSI and TE submitted a request to the ODNR Office of Real Estate to conduct an Environmental Review on April 4, 2017. The ODNR Office of Real Estate researched 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 natural areas within one (1) mile of the project area. The ODNR's Office of Real Estate's response on June 13, 2017 indicated that they have no records of the aforementioned areas within one (1) mile of the identified project area.

ATSI and TE conducted a wetland and stream assessment of the Project area. The investigation focused on an approximately 0.42-acre study area around the proposed

Project centerline, access roads, and additional workspace areas. The results of the assessment are shown in Exhibit 10.

One (1) perennial stream was located south of the Project Area that passes through a culvert beneath an access drive to the Project area. No improvements to the culvert are required to maintain this access route. No wetlands were observed within the Project Area. At the time of the field investigation, First Solar had already developed access roads in support of ongoing construction on their new substation in the eastern portion of the Project Area. ATSI and TE plan to utilize First Solar's existing access to the site to avoid any potential disturbance to the culverted stream.

The Project work limits do not encroach on any regulated 100 year floodplains based on a review of online FEMA Flood Insurance Rate Mapping.

4906-6-05(B)(10)(g): Other Information

Construction and operation of the proposed Project will be in accordance with the requirements specified in the latest revision of the National Electric Safety Code as adopted by the PUCO and will meet all applicable safety standards established by the Occupational Safety and Health Administration.

No other or unusual conditions are expected that will result in significant environmental, social, health or safety impacts.

4906-6-07: Documentation of Construction Notice Transmittal and Availability for Public Review

This Construction Notice is being provided concurrently with its docketing with the Board to the following officials in Perrysburg Township, Wood County, Ohio.

Wood County

Ms. Doris Herringshaw, President
Board of County Commissioners
5th Floor, County Office Building
One Courthouse Square
Bowling Green, OH 43402

Mr. Craig LaHote, Vice President
Board of County Commissioners
5th Floor, County Office Building
One Courthouse Square
Bowling Green, OH 43402

Dr. Theodore Bowlus
Board of County Commissioners
5th Floor, County Office Building
One Courthouse Square
Bowling Green, OH 43402

Mr. Bernie Scott, Chairman
Soil and Water Conservation Dist.
1616 East Wooster Street, STE 32
Bowling Green, OH 43402

Mr. John M. Musteric, P.E., P.S.
Wood County Engineer
One Courthouse Square
Bowling Green, OH 43402

Perrysburg Township

Mr. Gary Britten
Perrysburg Township Trustee
26609 Lime City Road
Perrysburg OH 43551

Mr. Robert Mack
Perrysburg Township Trustee
26609 Lime City Road
Perrysburg OH 43551

Mr. Joseph Schaller
Perrysburg Township Trustee
26609 Lime City Road
Perrysburg OH 43551

Mrs. Shirley Harr
Perrysburg Twp. Fiscal Officer
26609 Lime City Road
Perrysburg, OH 43551

Mr. Walt Celley,
Perrysburg Twp. Administrator
26609 Lime City Road
Perrysburg, OH 43551

Ms. Kely Hemminger, Administrator
Perrysburg Twp. Department of
Planning and Zoning
26609 Lime City Road
Perrysburg, OH 43551

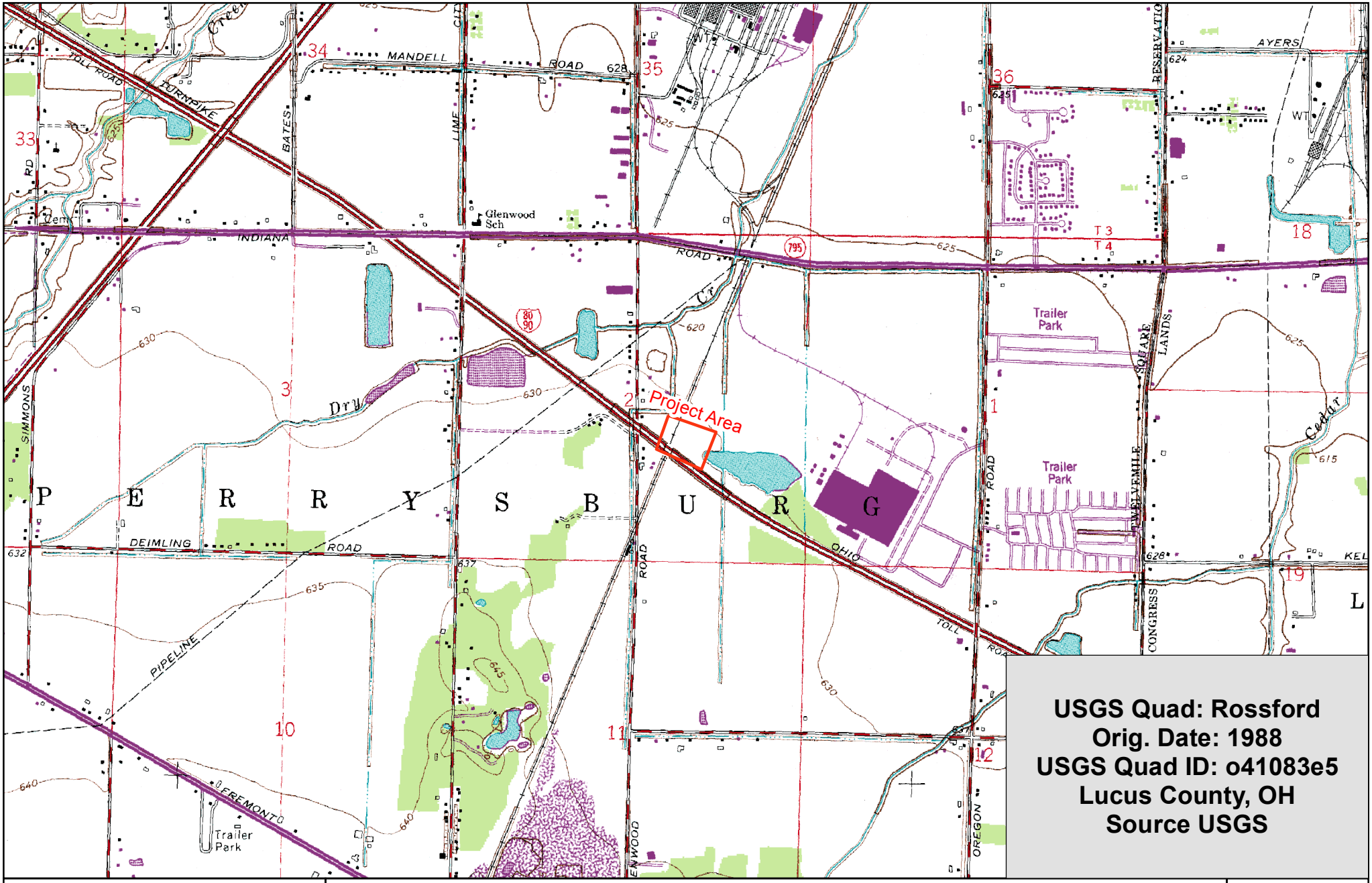
Library

Ms. Janel Haas, Director
Way Public Library
101 E. Indiana Ave.
Perrysburg, OH 43551

Mr. Michael Penrod, Director
Walbridge Branch
Wood County Public Library
108 North Main Street
Walbridge, Ohio 43465

Copies of the transmittal letters to these officials and to local libraries have been included with the transmittal letter submitting this Construction Notice to the Board, and are being provided in accordance with OAC Rule 4906-6-07 (B) to provide the Board with proof of compliance with the notice requirement to local officials in OAC Rule 4906-6-07 (A)(1) and to libraries in OAC Rule 4906-6-07 (A)(2).

Information is posted on www.firstenergycorp.com/about/transmission_project/ohio.html on how to request an electronic or paper copy of this Construction Notice. The link to website is being proved to meet the requirement of OAC Rule 4906-6-07 (B) and to provide the Board with proof of compliance with the notice requirements in OAC Rule 4906-6-07 (A)(3).



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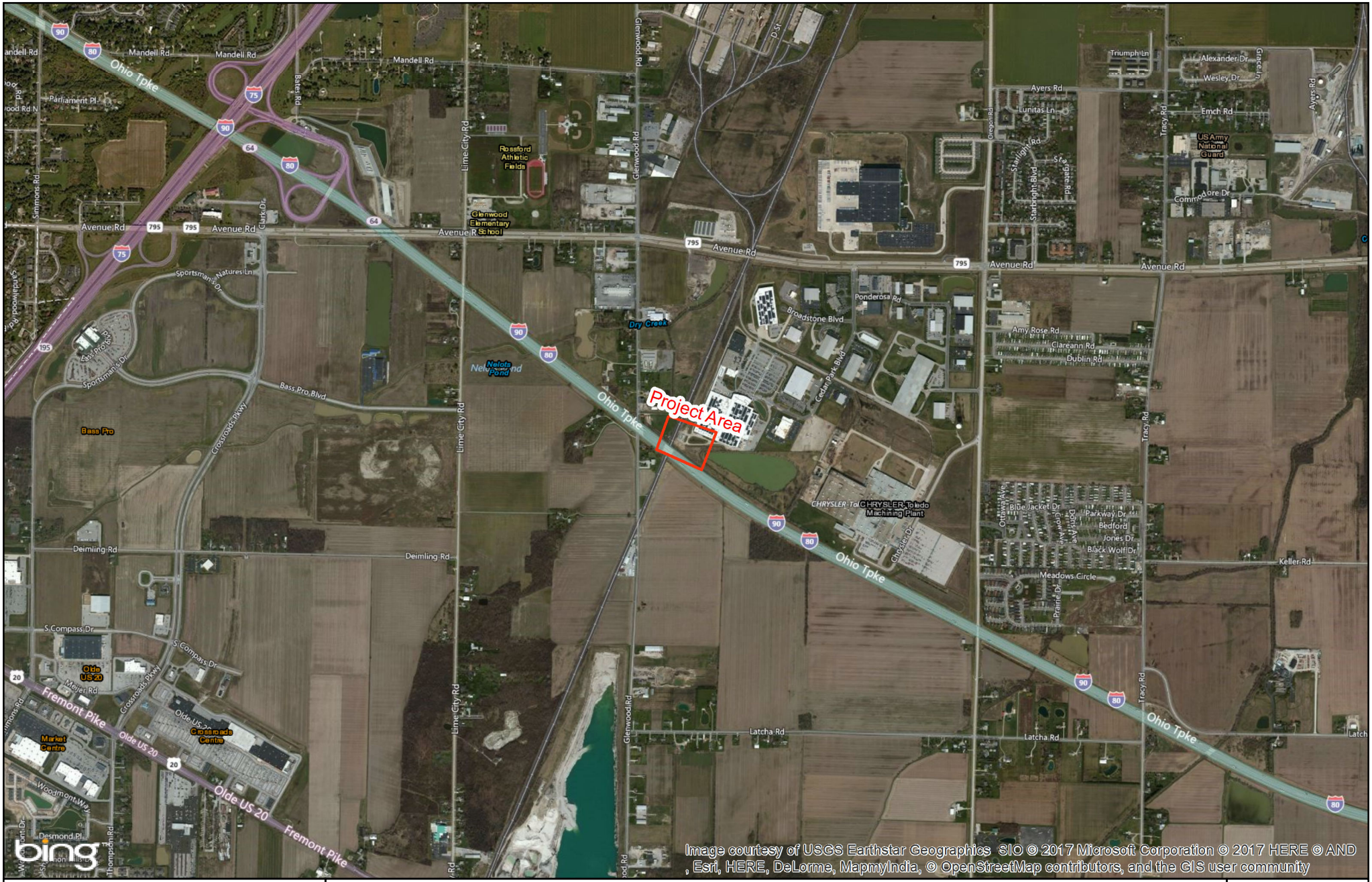
Chrysler-Dowling 138kV Transmission Line
Tap to New First Solar Substation
Exhibit 1

N

FirstEnergy

Created on 6/19/2017



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Chrysler-Dowling 138kV Transmission Line
Tap to New First Solar Substation
Exhibit 2

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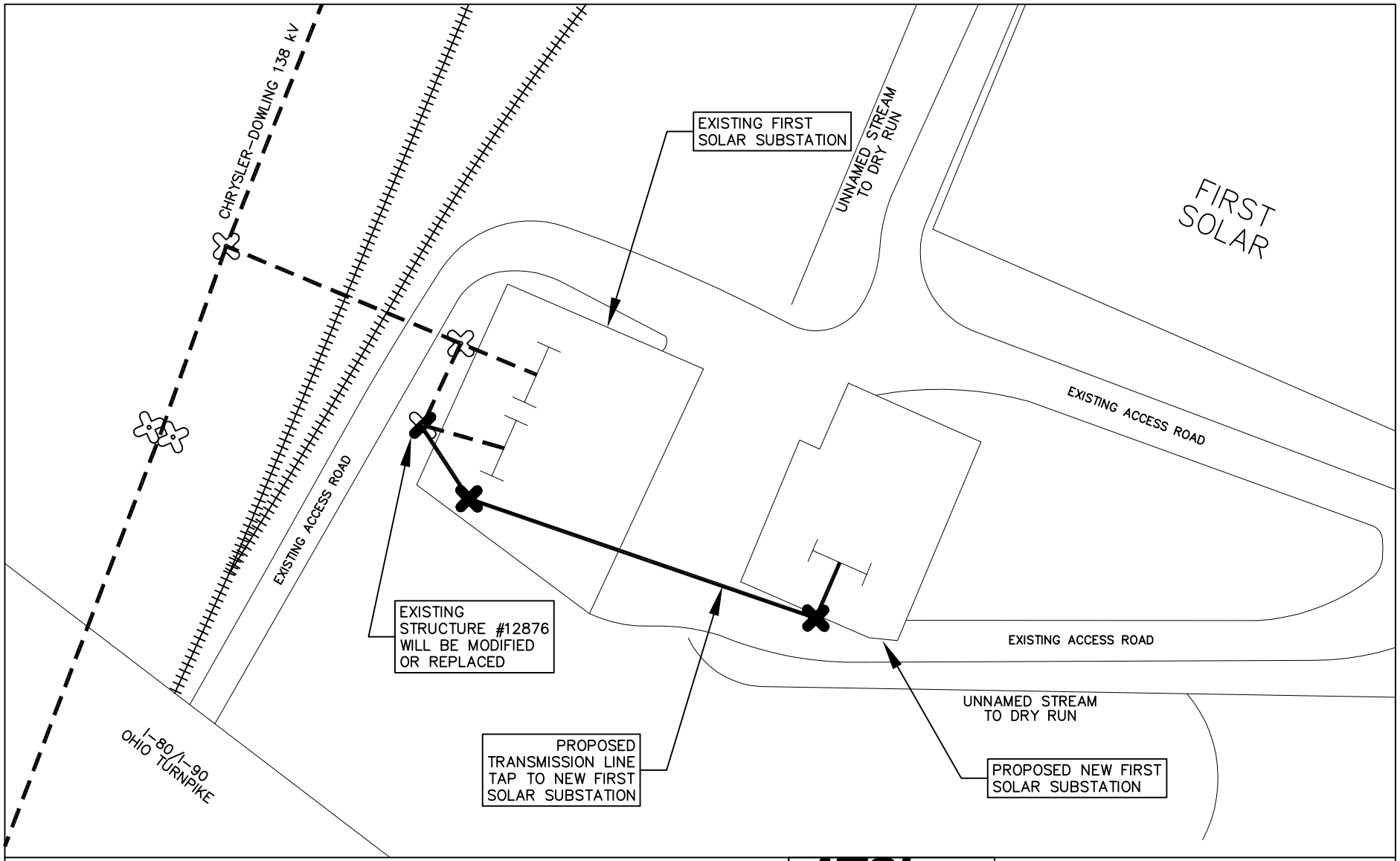
FirstEnergy

Created on 6/19/2017



LEGEND

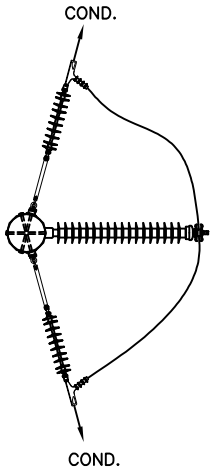
- EXISTING CONDUCTOR
- PROPOSED CONDUCTOR
- EXISTING RAILROAD
- SUBSTATION FENCE LINE
- WATER
- EXISTING SINGLE WOOD POLE STRUCTURE
- EXISTING 2–POLE WOOD STRUCTURE
- PROPOSED SINGLE STEEL POLE STRUCTURE
- EXISTING SINGLE WOOD POLE STRUCTURE TO BE MODIFIED OR REPLACED

ATSI®
American Transmission Systems, Inc
a subsidiary of FirstEnergy Corp.

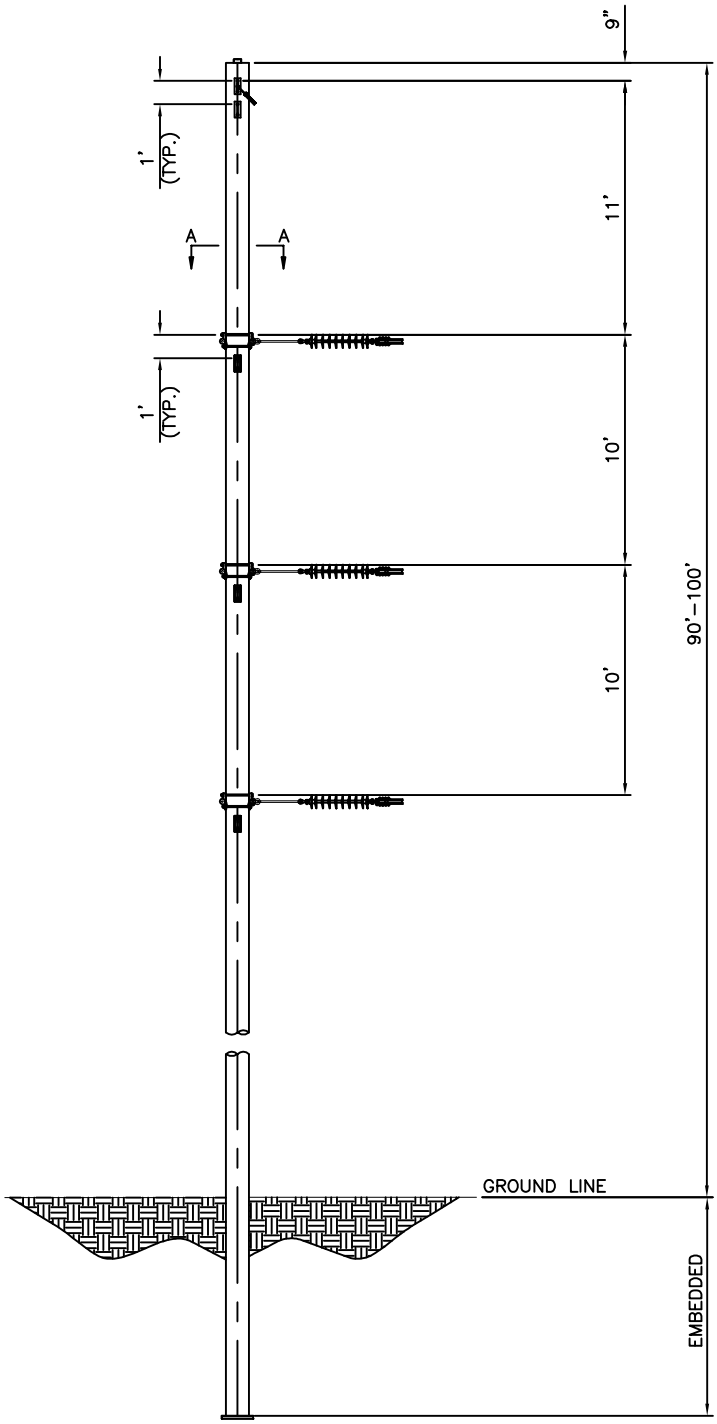
CHRYSLER–DOWLING 138 kV
TRANSMISSION LINE TAP FOR NEW
FIRST SOLAR SUBSTATION PROJECT

GENERAL LAYOUT

EXHIBIT 3



SECTION A–A



ELEVATION

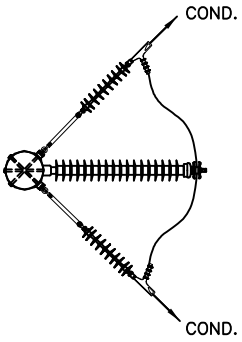
ATSI®
American Transmission Systems, Inc.
a subsidiary of FirstEnergy Corp.

CHRYSLER–DOWLING 138kV
TRANSMISSION LINE TAP EXTENSION TO
NEW FIRST SOLAR SUBSTATION PROJECT

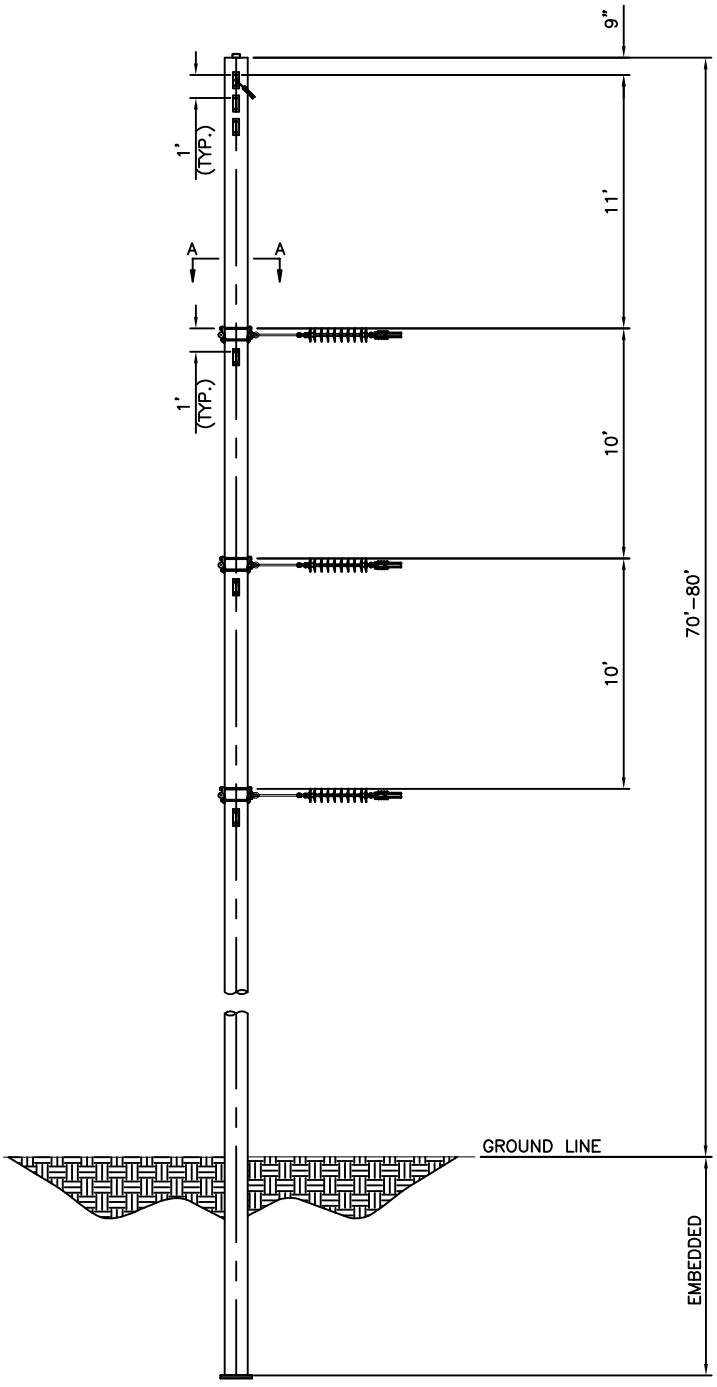
SINGLE CIRCUIT, STEEL POLE
DEADEND 30–40 DEGREES

EXHIBIT 4

NOT TO SCALE



SECTION A–A



ELEVATION

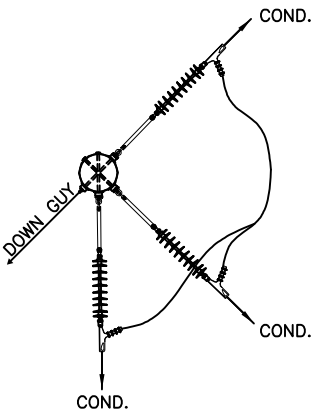
ATSI®
American Transmission Systems, Inc.
a subsidiary of FirstEnergy Corp.

CHRYSLER–DOWLING 138kV
TRANSMISSION LINE TAP EXTENSION TO
NEW FIRST SOLAR SUBSTATION PROJECT

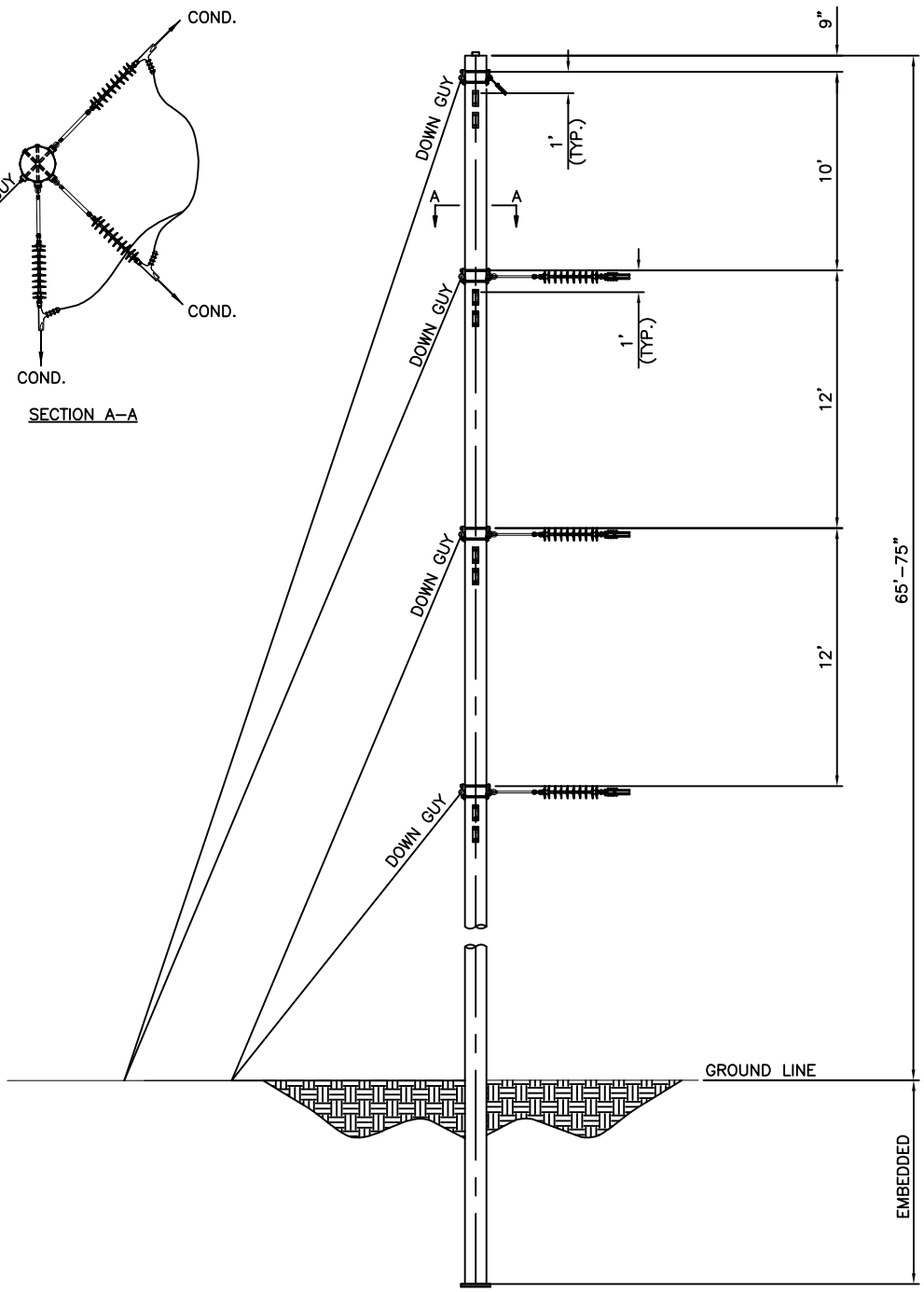
SINGLE CIRCUIT STEEL POLE
DEADEND 80–90 DEGREES

EXHIBIT 5

NOT TO SCALE



SECTION A–A



ELEVATION

ATSI® American Transmission Systems, Inc. a subsidiary of FirstEnergy Corp.	CHRYSLER–DOWLING 138 kV TRANSMISSION LINE TAP EXTENSION TO NEW FIRST SOLAR SUBSTATION PROJECT
SINGLE CIRCUIT WOOD POLE 3–WAY DEADEND	
EXHIBIT 6	

NOT TO SCALE

Ohio Historic Preservation Office

Legend

- NR Listings
  - Listed
  - National Historic Landmark
  - Delisted
- NR Determinations of Eligibi
- Historic Structures
- Historic Bridges
- Historic Tax Credit Projects
- OGS Cemeteries
  - Confident
  - Not Confident
- Dams
- UTM Zone Split
- NR Boundaries
- Phase1
- Phase2
- Phase3
- Historic Previously Surveyed

0 0.30 0.61 Miles

1: 24,000

Copyright/Disclaimer

Datum: [Datum]

Projection: WGS_1984_Web_Mercator_Auxiliary_Sphere

EXHIBIT 8

Ohio Department of Natural Resources

JOHN R. KASICH, GOVERNOR JAMES ZEHRINGER, DIRECTOR

Office of Real Estate
Paul R. Baldridge, Chief
2045 Morse Road – Bldg. E-2
Columbus, OH 43229
Phone: (614) 265-6649
Fax: (614) 267-4764

June 13, 2017

William Beutler
FirstEnergy
76 South Main Street
Akron, Ohio 44308

Re: 17-277; Chrysler-Dowling 138 kV Transmission Line Tap for The New First Solar Substation Project

Project: The proposed project involves the installation of approximately 0.1 mile of new transmission line from the existing Chrysler-Dowling 138 kV Transmission Line Tap to the proposed New First Solar Substation.

Location: The proposed project is located in Perrysburg Township, Wood County, Ohio.

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 Heritage Database: The Natural Heritage Database has the following record at or within a one-mile radius of the project area:

A review of the Ohio Natural Heritage Database indicates there are no records of state endangered or threatened plants or animals within the project area. There are also no records of state potentially threatened plants, special interest or species of concern animals, or any federally listed species. In addition, we are unaware of any unique ecological sites, geologic features, animal assemblages, scenic rivers, state wildlife areas, state nature preserves, state or national parks, state or national forests, national wildlife refuges, or other protected natural areas within the project area. The review was performed on the project area you specified in your request as well as an additional one mile radius. Records searched date from 1980.

Please note that Ohio has not been completely surveyed and we rely on receiving information from many sources. Therefore, a lack of records for any particular area is not a statement that rare species or unique features are absent from that area. Although all types of plant communities have been surveyed, we only maintain records on the highest quality areas.

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 project is within the range of the Indiana bat (*Myotis sodalis*), a state endangered and federally endangered species. The following species of trees have relatively high value as potential Indiana bat roost trees to include: shagbark hickory (*Carya ovata*), shellbark hickory (*Carya laciniosa*), bitternut hickory (*Carya cordiformis*), black ash (*Fraxinus nigra*), green ash (*Fraxinus pennsylvanica*), white ash (*Fraxinus americana*), shingle oak (*Quercus imbricaria*), northern red oak (*Quercus rubra*), slippery elm (*Ulmus rubra*), American elm (*Ulmus americana*), eastern cottonwood (*Populus deltoides*), silver maple (*Acer saccharinum*), sassafras (*Sassafras albidum*), post oak (*Quercus stellata*), and white oak (*Quercus alba*). Indiana bat roost trees consists of trees that include dead and dying trees with exfoliating bark, crevices, or cavities in upland areas or riparian corridors and living trees with exfoliating bark, cavities, or hollow areas formed from broken branches or tops. However, Indiana bats are also dependent on the forest structure surrounding roost trees. If suitable habitat occurs within the project area, the DOW recommends trees be conserved. If suitable habitat occurs within the project area and trees must be cut, the DOW recommends cutting occur between October 1 and March 31. If suitable trees must be cut during the summer months, the DOW recommends a net survey be conducted between June 1 and August 15, prior to any cutting. Net surveys should incorporate either nine net nights per square 0.5 kilometer of project area, or four net nights per kilometer for linear projects. If no tree removal is proposed, this project is not likely to impact this species.

The project is within the range of the pondhorn (*Uniomerus tetralasmus*), 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 this species.

The project is within the range of the western banded killifish (*Fundulus diaphananus menona*), a state endangered 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 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. Due to the location, the type of habitat at the project site and within the vicinity of 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 northern harrier (*Circus cyaneus*), 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. Due to the location, the type of habitat at the project site and within the vicinity of 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 lark sparrow (*Chondestes grammacus*), a state endangered bird. This sparrow nests in grassland habitats with scattered shrub layers, disturbed open areas, as well as patches of bare soil. These summer residents normally migrate out of Ohio shortly after their young fledge or leave the nest. Due to the location, the type of habitat at the project site and

within the vicinity of 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 upland sandpiper (*Bartramia longicauda*), a state endangered bird. Nesting upland sandpipers utilize dry grasslands including native grasslands, seeded grasslands, grazed and ungrazed pasture, hayfields, and grasslands established through the Conservation Reserve Program (CRP). Due to the location, the type of habitat at the project site and within the vicinity of the project area, and the type of work proposed, this project is not likely to impact this species.

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

Water Resources: The Division of Water Resources has the following comment.

The local floodplain administrator should be contacted concerning the possible need for any floodplain permits or approvals for this project. Your local floodplain administrator contact information can be found at the website below.

http://water.ohiodnr.gov/portals/soilwater/pdf/floodplain/Floodplain%20Manager%20Community%20Contact%20List_8_16.pdf

ODNR appreciates the opportunity to provide these comments. Please contact John Kessler at (614) 265-6621 if you have questions about these comments or need additional information.

John Kessler
ODNR Office of Real Estate
2045 Morse Road, Building E-2
Columbus, Ohio 43229-6693
John.Kessler@dnr.state.oh.us

EXHIBIT 9

Beutler, William R

From: susan_zimmermann@fws.gov on behalf of Ohio, FW3 <ohio@fws.gov>
Sent: Wednesday, April 12, 2017 10:34 AM
To: Beutler, William R
Cc: nathan.reardon@dnr.state.oh.us; kate.parsons@dnr.state.oh.us
Subject: *EXTERNAL* Chrysler-Dowling 138 kV Line for New First Solar Substation, Wood Co.

UNITED STATES DEPARTMENT OF THE INTERIOR
U.S. Fish and Wildlife Service
Ecological Services Office
4625 Morse Road, Suite 104
Columbus, Ohio 43230
(614) 416-8993 / Fax (614) 416-8994

TAILS: 03E15000-2017-TA-1085

Dear Mr. Beutler,

We have received your recent correspondence requesting information about the subject proposal. There are no federal wilderness areas, wildlife refuges or designated critical habitat within the vicinity of the project area. The following comments and recommendations will assist you in fulfilling the requirements for consultation under section 7 of the Endangered Species Act of 1973, as amended (ESA).

The U.S. Fish and Wildlife Service (Service) recommends that proposed developments avoid and minimize water quality impacts and impacts to high quality fish and wildlife habitat (e.g., forests, streams, wetlands). Additionally, natural buffers around streams and wetlands should be preserved to enhance beneficial functions. If streams or wetlands will be impacted, the 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. All disturbed areas should be mulched and revegetated with native plant species. Prevention of non-native, invasive plant establishment is critical in maintaining high quality habitats.

FEDERALLY LISTED SPECIES COMMENTS: All projects in the State of Ohio lie within the range of the federally endangered **Indiana bat** (*Myotis sodalis*) and the federally threatened **northern long-eared bat** (*Myotis septentrionalis*). In Ohio, presence of the Indiana bat and northern long-eared bat is assumed 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 travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥3 inches diameter at breast height (dbh) that have any exfoliating bark, cracks, crevices, hollows and/or cavities), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) 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 and abandoned mines.

Should the proposed site contain trees ≥3 inches dbh, we recommend that trees be saved 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 that removal of any trees ≥3 inches dbh only occur between October 1 and March 31. Seasonal clearing is being 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 http://www.fws.gov/midwest/endangered/mammals/nleb/index.html), 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, summer surveys may be conducted to document the presence or probable absence of Indiana bats within the project area during the summer. If a summer survey documents probable absence of Indiana bats, the 4(d) rule for the northern long-eared bat could be applied. Surveys must be conducted by an approved surveyor and be designed and conducted in coordination with the Endangered Species Coordinator for this office. Surveyors must have a valid federal permit. Please note that summer surveys may only be conducted between June 1 and August 15.

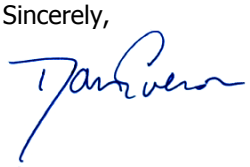
If there is a federal nexus for the project (e.g., federal funding provided, federal permits required to construct), no tree clearing should occur on any portion of the project area until consultation under section 7 of the ESA, between the Service and the federal action agency, is completed. We recommend that 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.

Due to the project type, size, and location, we do not anticipate adverse effects to any other federally endangered, threatened, proposed, or candidate species. Should the project design change, or during the term of this action, 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, consultation with the Service should be initiated to assess any potential impacts.

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 ESA, and are consistent with the intent of the National Environmental Policy Act of 1969 and the Service's Mitigation Policy. This letter provides technical assistance only and does not serve as a completed section 7 consultation document. We recommend that the project be coordinated with the Ohio Department of Natural Resources due to the potential for the project to affect state listed species and/or state lands. Contact John Kessler, Environmental Services Administrator, at (614) 265-6621 or at john.kessler@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,



Dan Everson
Field Office Supervisor

cc: Nathan Reardon, ODNR-DOW

Dowling-Chrysler 138kV Transmission Tap Extension to New First Solar Substation Project
Case Number 17-1674-EL-BNR

Date: August 10, 2017

Exhibit 10
Wetland and Waters Assessment

Date: July 25, 2017

TO: William R. Beutler – Engineer III
Energy Delivery Transmission and Substation Design

FROM: Auggie Ruggiero – Staff Scientist
Environmental Energy Delivery Support

SUBJECT:

Wetland and Waters Assessment
Dowling-Chrysler 138kV Transmission Tap Extension to New First Solar Substation Project

INTRODUCTION

On July 21, 2017, an area within the vicinity of an existing substation located north of Interstate 80 and east of Glenwood Road in Perrysburg, Ohio was investigated for the presence of wetland characteristics and/or evidence of other areas deemed "waters of the U.S." Areas that exhibit hydric soils, wetland hydrology, and a dominance of hydrophytic vegetation were considered to be a wetland. Areas that display these three characteristics are subject to regulations pursuant to Section 404 of the Clean Water Act or Ohio's isolated wetland laws. Other areas deemed "waters of the U.S." potentially include streams or bodies of open water which may also be subject to Section 404 regulations.

METHODS

Wetlands within the project area were identified and their boundaries estimated using the procedures outlined in the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region Version 2.0* (*Regional Supplement*) (U.S. Army Corps of Engineers, 2011).

The project area was also screened for the presence of areas that meet the criteria for "other waters of the U.S." These areas consist of ephemeral, intermittent, and perennial streams, as well as open water habitats such as ponds. Site drainage was determined by secondary source information and in the field using current regulatory guidance. Drainage channels

that exhibited “bed and bank” and an ordinary high water mark in the channel were identified and delineated as jurisdictional streams. Drainage channels that did not exhibit an ordinary high water mark were regarded as drainageways.

FIELD INVESTIGATION/RESULTS

The majority of the Project Area is developed with an existing substation and access road. Additionally, construction activities were occurring within the eastern portion of the Project Area at the time of the field investigation. The western portion of the Project Area is dominated by common reed (*Phragmites australis*) with no signs of wetland hydrology. The remainder of the Project Area was devoid of vegetation at the time of the field investigation. One perennial stream is located south of the Project Area. The portion of the upstream drainage associated with this stream that is located within the Project Area resides in a culvert. This perennial stream appears to be an unnamed tributary to Dry Run. No wetlands were observed within the Project Area.

Although peripheral to the Project Area, any proposed construction activities within the stream are subject to regulations pursuant to Section 404 of the Clean Water Act.

REFERENCES

Lichvar, R.W. and Kartesz, J.T. 2009. North American Digital Flora: National Wetland Plant List, version 2.4.0 (https://wetland_plants.usace.army.mil). U.S. Army Corps of Engineers, Engineer Research and Development Center, Cold Regions Research and Engineering Laboratory, Hanover, NH, and BONAP, Chapel Hill, NC. (June, 2012).

U.S. Army Corps of Engineers. 2011. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0)*, ed. J. S. Wakeley, R. W. Lichvar, C. V. Noble, and J. F. Berkowitz. ERDC/EL TR-12-1. Vicksburg, MS: U.S. Army Engineer Research and Development Center.

United States Department of Agriculture, Natural Resources Conservation Service. 2010. Field Indicators of Hydric Soils in the United States, Version 7.0. L.M. Vasilas, G.W. Hurt, and C.V. Noble (eds.). USDA, NRCS, in cooperation with the National Technical Committee for Hydric Soils.

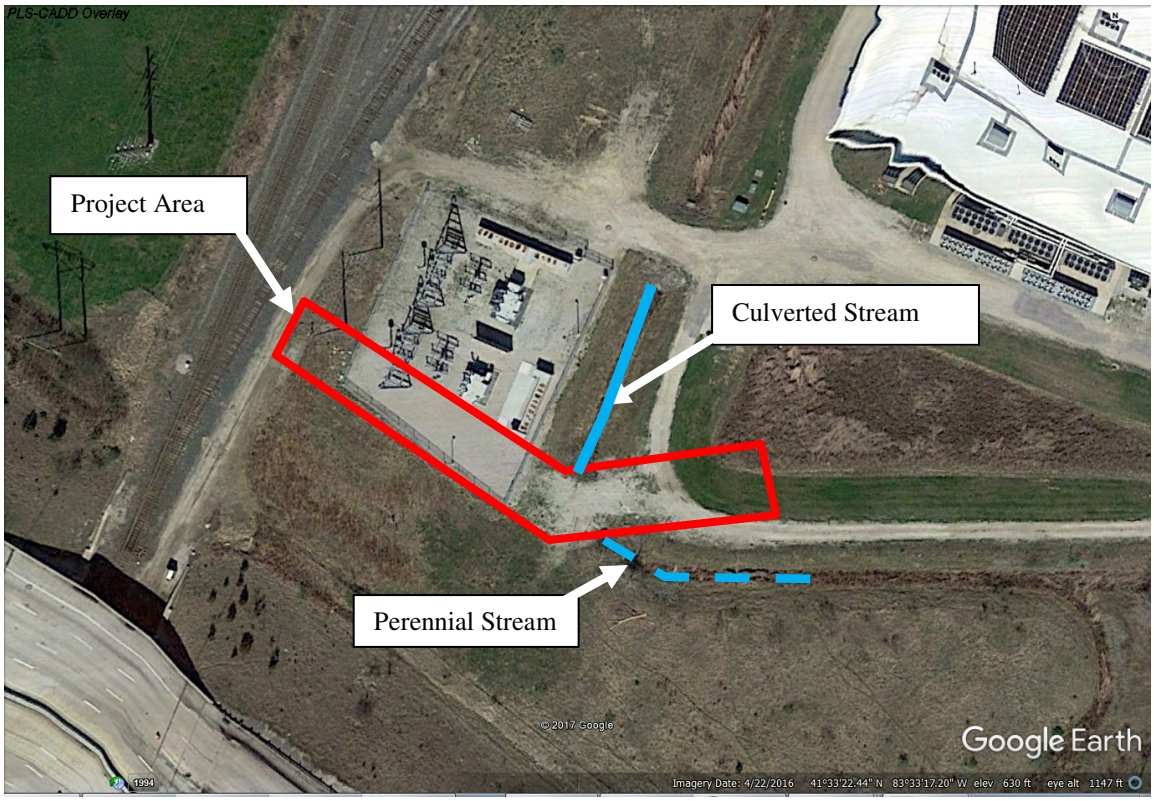


Figure 1

Aerial of the Project Area showing water resources. At the time of the investigation, field conditions did not entirely correspond to what is depicted on available aerial photography due to recent construction activities within the eastern portion of the Project Area.

Photograph 1

View facing northwest showing the western portion of the Project Area.

Photograph 2

View facing southeast showing the perennial stream located south of the Project Area.