

76 South Main Street Akron, Ohio 44308

2017 FEB 17 PM 12:08

PHCO

1-800-646-0400

February 16, 2017

Ms. Barcy F. McNeal Docketing Division The Public Utilities Commission of Ohio 180 East Broad Street Columbus, OH 43215-3793

Construction Notice Eber-Swanton 138 kV Transmission Line Relocation For Norfolk Southern Railway Project Case No. 17-0348-EL-BNR

Dear Ms. McNeal:

In accordance with Ohio Administrative Code ("OAC") Rule 4906-2-04(A)(3) and OAC Chapter 4906-6, American Transmission Systems, Incorporated ("ATSI"), a FirstEnergy company, transmits one (1) original and eleven (11) copies of the enclosed Construction Notice application for the above captioned Project. The Construction Notice application was completed in accordance with OAC Chapter 4906-6.

In this Project, ATSI is proposing to modify two sections of the Eber-Swanton 138 kV Transmission Line by relocating seven (7) structures and removing one (1) structure to accommodate changes to railroad operations by Norfolk Southern Railway. The eastern section of the Project will involve the relocation of five (5) structures. The western section of the Project will involve the relocation of two (2) structures and the removal of one (1) structure. The Project will be located in the Village of Swanton and Swanton Township, Lucas County, Ohio.

Pursuant to OAC Rule 4906-2-04(A)(3), please be advised of the following:

a) Name and address of the applicants:

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

b) Name and location of proposed facilities:

Eber-Swanton 138 kV Transmission Line Relocation For Norfolk Southern Railway Project.

The Project area is located in the Village of Swanton and Swanton Township, Lucas County, Ohio.

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c) Applicant's representative:

William R. Beutler Engineer III Energy Delivery Transmission and Substation Design FirstEnergy Service Company 76 South Main Street Akron, OH 44308-1890

- d) The anticipated date for the completion of construction that was provided in the preapplication letter has been changed in the attached Construction Notice application from June 20, 2017 to July 31, 2017.
- e) A notarized statement that the information contained in the application is complete and accurate is attached as Attachment 1.

We have provided a copy of the Construction Notice application by certified mail, with return receipt requested, to each official of the political subdivisions immediately affected by the proposed Project as listed in Exhibit 1. Copies of the transmittal letters addressed to the local government representatives of the Village of Swanton and Swanton Township, Lucas County, Ohio are enclosed for your file. These materials are being provided as proof of compliance with OAC Rule 4906-6-07.

After docketing this filing, please return one time-stamped copy of the Letter of Notification for our records to us in the enclosed envelope. Should staff of the Ohio Power Siting Board desire further information or discussion of this submittal, please contact me at (330) 384-2740.

Sincerely,

William R. Beutler

Engineer III

Energy Delivery Transmission and Substation Design

FirstEnergy Service Company

William R. Beutler

Eber-Swanton 138 kV Transmission Lines Relocation For Norfolk Southern Railway Project Case Number 17-0348-EL-BNR

Date: February 16, 2017

Attachment 1 Affidavit of William R. Beutler

BEFORE THE OHIO POWER SITING BOARD

Systems, Incorporate Environmental Com Need for the Const Swanton 138 kV	American Transmission ed for a Certificate of apatibility and Public truction for the Eber- Transmission Line folk Southern Railway)	Case No. 17-0348-EL-BNR
	AFFIDAVIT OF	WILLI	IAM R. BEUTLER
I, William R. Beutle	r, state the following:		
representative of the	Applicant in this case	and I af	4906-2-04(A)(3)(e), I am the authorized ffirm that the Construction Notice application f my information and belief.
			Willia R Bentler
			William R. Beutler FirstEnergy Service Company
State of Ohio)) ss:		
County of Summit)		
Sworn and su	sheerihed hefore me this	s 16 day	of February, 2017



Exhibit 1

Officials Served Copy of Letter of the Construction Notice Eber-Swanton 138 kV Transmission Line Relocation For Norfolk Southern Railway Project Case No. 17-0348-EL-BNR

Lucas County

Commissioner Pete Gerken, President Lucas County Commissioners One Government Center, Suite 800 Toledo, OH 43604

Commissioner Carol Contrada, Lucas County Commissioners One Government Center, Suite 800 Toledo, OH 43604

Commissioner Tina Skeldon Wozniak, Lucas County Commissioners One Government Center, Suite 800 Toledo, OH 43604

Ms. Laura Lloyd-Jenkins Lucas County Administrator One Government Center, Suite 800 Toledo, OH 43604 Mr. Keith G. Earley P.E., P.S. Lucas County Engineer 1049 S. McCord Road Holland, OH 43528

Mr. Douglas J. Parrish, P.E., S.I. Lucas County Planning Department 1049 S. McCord Road Holland, OH 43528

Mr. Bob Neubert, Lucas County Floodplain Manager 1049 S. McCord Road Holland, OH 43528

Swanton Township

Mr. Jeff Michael, Chairman Swanton Township Trustee 13410 Airport Highway Swanton, OH 43558

Mr. Gary Schoeder, Vice Chairman Swanton Township Trustee 13410 Airport Highway Swanton, OH 43558 Ms. Cindy Burkey Swanton Township Trustee 13410 Airport Highway Swanton, OH 43558

Ms. Peggy Michael Swanton Township Fiscal Officer 13410 Airport Highway Swanton, OH 43558

Village of Swanton

Mayor Ann Roth, Village of Swanton 219 Chestnut St. Swanton, OH 43558

Ms. Rosanna Hoelzle, Administrator Village of Swanton 219 Chestnut St. Swanton, OH 43558

Libraries

Ms. Meg Delaney, Manager Toledo-Lucas County Public Library Main Branch 325 Michigan St. Toledo, OH 43604

Ms. Janelle Thomas, Director Swanton Public Library 305 Chestnut St. Swanton, OH 43558 Mr. Paul Dzyak, President Village of Swanton Council 219 Chestnut St. Swanton, OH 43558

Mr. Roger DeGood, Chair Planning Commission Village of Swanton 219 Chestnut St. Swanton, OH 43558

February 16, 2017

Commissioner Pete Gerken, President Lucas County Commissioners One Government Center, Suite 800 Toledo, OH 43604

Construction Notice Eber-Swanton 138 kV Transmission Line Relocation For Norfolk Southern Railway Project Case No. 17-0348-EL-BNR

Dear Commissioner Gerken.

American Transmission Systems, Incorporated ("ATSI"), FirstEnergy company, is proposing to modify two sections of the Eber-Swanton 138 kV Transmission Line by relocating seven (7) structures and removing one (1) structure at the request of Norfolk Southern Railway. The eastern section of the Project will involve the relocation of five (5) structures. The western section of the Project will involve the relocation of two (2) structures and the removal of one (1) structure. The Project will be located in the Village of Swanton and Swanton Township, Lucas County, Ohio.

In accordance with Ohio Administrative Code ("OAC") Rule 4906-1-01, this Project falls within the Ohio Power Siting Board's requirements for a Construction Notice ("CN") application. Therefore, in accordance with OAC Chapter 4906-6, we have prepared and filed the attached CN application with the OPSB for their review and approval. The CN application contains a description of the Project, and is provided for your information.

I will be happy to answer your questions concerning this matter. You can contact me at (330) 384-2740.

Sincerely,

William R. Beutler

Engineer III

Energy Delivery Transmission & Substation Design FirstEnergy Service Company

William R. Beutler

February 16, 2017

Commissioner Carol Contrada, Lucas County Commissioners One Government Center, Suite 800 Toledo, OH 43604

Construction Notice Eber-Swanton 138 kV Transmission Line Relocation For Norfolk Southern Railway Project Case No. 17-0348-EL-BNR

Dear Commissioner Contrada,

American Transmission Systems, Incorporated ("ATSI"), FirstEnergy company, is proposing to modify two sections of the Eber-Swanton 138 kV Transmission Line by relocating seven (7) structures and removing one (1) structure at the request of Norfolk Southern Railway. The eastern section of the Project will involve the relocation of five (5) structures. The western section of the Project will involve the relocation of two (2) structures and the removal of one (1) structure. The Project will be located in the Village of Swanton and Swanton Township, Lucas County, Ohio.

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Sincerely,

William R. Beutler

Engineer III

Energy Delivery Transmission & Substation Design

FirstEnergy Service Company

William R. Beutler



February 16, 2017

Commissioner Tina Skeldon Wozniak, Lucas County Commissioners One Government Center, Suite 800 Toledo, OH 43604

Construction Notice Eber-Swanton 138 kV Transmission Line Relocation For Norfolk Southern Railway Project <u>Case No. 17-0348-EL-BNR</u>

Dear Commissioner Wozniak.

American Transmission Systems, Incorporated ("ATSI"), FirstEnergy company, is proposing to modify two sections of the Eber-Swanton 138 kV Transmission Line by relocating seven (7) structures and removing one (1) structure at the request of Norfolk Southern Railway. The eastern section of the Project will involve the relocation of five (5) structures. The western section of the Project will involve the relocation of two (2) structures and the removal of one (1) structure. The Project will be located in the Village of Swanton and Swanton Township, Lucas County, Ohio.

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Sincerely,

William R. Beutler

Engineer III

Energy Delivery Transmission & Substation Design

FirstEnergy Service Company

William R. Beutler

February 16, 2017

Ms. Laura Lloyd-Jenkins Lucas County Administrator One Government Center, Suite 800 Toledo, OH 43604

Construction Notice Eber-Swanton 138 kV Transmission Line Relocation For Norfolk Southern Railway Project Case No. 17-0348-EL-BNR

Dear Ms. Lloyd-Jenkins,

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Sincerely,

William R. Beutler

Engineer III

Energy Delivery Transmission & Substation Design FirstEnergy Service Company

William R. Beutler



February 16, 2017

Mr. Keith G. Earley P.E., P.S. Lucas County Engineer 1049 S. McCord Road Holland, OH 43528

Construction Notice Eber-Swanton 138 kV Transmission Line Relocation For Norfolk Southern Railway Project Case No. 17-0348-EL-BNR

Dear Mr. Earley,

American Transmission Systems, Incorporated ("ATSI"), FirstEnergy company, is proposing to modify two sections of the Eber-Swanton 138 kV Transmission Line by relocating seven (7) structures and removing one (1) structure at the request of Norfolk Southern Railway. The eastern section of the Project will involve the relocation of five (5) structures. The western section of the Project will involve the relocation of two (2) structures and the removal of one (1) structure. The Project will be located in the Village of Swanton and Swanton Township, Lucas County, Ohio.

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Sincerely,

William R. Beutler

Engineer III

Energy Delivery Transmission & Substation Design

FirstEnergy Service Company

William R. Beutler



February 16, 2017

Mr. Douglas J. Parrish, P.E., S.I. Lucas County Planning Department 1049 S. McCord Road Holland, OH 43528

Construction Notice Eber-Swanton 138 kV Transmission Line Relocation For Norfolk Southern Railway Project Case No. 17-0348-EL-BNR

Dear Mr. Parrish.

American Transmission Systems, Incorporated ("ATSI"), FirstEnergy company, is proposing to modify two sections of the Eber-Swanton 138 kV Transmission Line by relocating seven (7) structures and removing one (1) structure at the request of Norfolk Southern Railway. The eastern section of the Project will involve the relocation of five (5) structures. The western section of the Project will involve the relocation of two (2) structures and the removal of one (1) structure. The Project will be located in the Village of Swanton and Swanton Township, Lucas County, Ohio.

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Sincerely,

William R. Beutler

Engineer III

Energy Delivery Transmission & Substation Design

FirstEnergy Service Company

William R. Beutler



February 16, 2017

Mr. Bob Neubert, Lucas County Floodplain Manager 1049 S. McCord Road Holland, OH 43528

Construction Notice Eber-Swanton 138 kV Transmission Line Relocation For Norfolk Southern Railway Project Case No. 17-0348-EL-BNR

Dear Mr. Neubert,

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Sincerely,

William R. Beutler

Engineer III

Energy Delivery Transmission & Substation Design FirstEnergy Service Company

William R. Beutler



February 16, 2017

Mr. Jeff Michael, Chairman Swanton Township Trustee 13410 Airport Highway Swanton, OH 43558

Construction Notice Eber-Swanton 138 kV Transmission Line Relocation For Norfolk Southern Railway Project Case No. 17-0348-EL-BNR

Dear Mr. Michael.

American Transmission Systems, Incorporated ("ATSI"), FirstEnergy company, is proposing to modify two sections of the Eber-Swanton 138 kV Transmission Line by relocating seven (7) structures and removing one (1) structure at the request of Norfolk Southern Railway. The eastern section of the Project will involve the relocation of five (5) structures. The western section of the Project will involve the relocation of two (2) structures and the removal of one (1) structure. The Project will be located in the Village of Swanton and Swanton Township, Lucas County, Ohio.

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Sincerely,

William R. Beutler William R. Beutler

Engineer III

Energy Delivery Transmission & Substation Design FirstEnergy Service Company

February 16, 2017

Mr. Gary Schoeder, Vice Chairman Swanton Township Trustee 13410 Airport Highway Swanton, OH 43558

Construction Notice Eber-Swanton 138 kV Transmission Line Relocation For Norfolk Southern Railway Project Case No. 17-0348-EL-BNR

Dear Mr. Schoeder,

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Sincerely,

William R. Beutler William R. Beutler

Engineer III

Energy Delivery Transmission & Substation Design FirstEnergy Service Company

February 16, 2017

Ms. Cindy Burkey Swanton Township Trustee 13410 Airport Highway Swanton, OH 43558

Construction Notice Eber-Swanton 138 kV Transmission Line Relocation For Norfolk Southern Railway Project Case No. 17-0348-EL-BNR

Dear Ms. Burkey,

American Transmission Systems, Incorporated ("ATSI"), FirstEnergy company, is proposing to modify two sections of the Eber-Swanton 138 kV Transmission Line by relocating seven (7) structures and removing one (1) structure at the request of Norfolk Southern Railway. The eastern section of the Project will involve the relocation of five (5) structures. The western section of the Project will involve the relocation of two (2) structures and the removal of one (1) structure. The Project will be located in the Village of Swanton and Swanton Township, Lucas County, Ohio.

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William R. Beutler

Engineer III

Energy Delivery Transmission & Substation Design

FirstEnergy Service Company

William R. Beutler



February 16, 2017

Ms. Peggy Michael Swanton Township Fiscal Officer 13410 Airport Highway Swanton, OH 43558

Construction Notice Eber-Swanton 138 kV Transmission Line Relocation For Norfolk Southern Railway Project Case No. 17-0348-EL-BNR

Dear Ms. Michael,

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Sincerely,

William R. Beutler William R. Beutler

Engineer III

Energy Delivery Transmission & Substation Design FirstEnergy Service Company

February 16, 2017

Mayor Ann Roth, Village of Swanton 219 Chestnut St. Swanton, OH 43558

Construction Notice Eber-Swanton 138 kV Transmission Line Relocation For Norfolk Southern Railway Project Case No. 17-0348-EL-BNR

Dear Mayor Roth,

American Transmission Systems, Incorporated ("ATSI"), FirstEnergy company, is proposing to modify two sections of the Eber-Swanton 138 kV Transmission Line by relocating seven (7) structures and removing one (1) structure at the request of Norfolk Southern Railway. The eastern section of the Project will involve the relocation of five (5) structures. The western section of the Project will involve the relocation of two (2) structures and the removal of one (1) structure. The Project will be located in the Village of Swanton and Swanton Township, Lucas County, Ohio.

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Sincerely,

William R. Beutler

Engineer III

Energy Delivery Transmission & Substation Design

FirstEnergy Service Company

William R. Beutler



February 16, 2017

Ms. Rosanna Hoelzle, Administrator Village of Swanton 219 Chestnut St. Swanton, OH 43558

Construction Notice Eber-Swanton 138 kV Transmission Line Relocation For Norfolk Southern Railway Project Case No. 17-0348-EL-BNR

Dear Ms. Hoelzle.

American Transmission Systems, Incorporated ("ATSI"), FirstEnergy company, is proposing to modify two sections of the Eber-Swanton 138 kV Transmission Line by relocating seven (7) structures and removing one (1) structure at the request of Norfolk Southern Railway. The eastern section of the Project will involve the relocation of five (5) structures. The western section of the Project will involve the relocation of two (2) structures and the removal of one (1) structure. The Project will be located in the Village of Swanton and Swanton Township, Lucas County, Ohio.

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Sincerely,

William R. Beutler William R. Beutler

Engineer III

Energy Delivery Transmission & Substation Design

FirstEnergy Service Company

February 16, 2017

Mr. Paul Dzyak, President Village of Swanton Council 219 Chestnut St. Swanton. OH 43558

Construction Notice Eber-Swanton 138 kV Transmission Line Relocation For Norfolk Southern Railway Project Case No. 17-0348-EL-BNR

Dear Mr. Dzyak,

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William R. Beutler

Engineer III

Energy Delivery Transmission & Substation Design

FirstEnergy Service Company

William R. Beutler



February 16, 2017

Mr. Roger DeGood, Chair Planning Commission Village of Swanton 219 Chestnut St. Swanton, OH 43558

Construction Notice Eber-Swanton 138 kV Transmission Line Relocation For Norfolk Southern Railway Project Case No. 17-0348-EL-BNR

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William R. Beutler

Engineer III

Energy Delivery Transmission & Substation Design

FirstEnergy Service Company

William R. Beutler



Ms. Meg Delaney, Manager Toledo-Lucas County Public Library Main Branch 325 Michigan St. Toledo, OH 43604 February 16, 2017

Construction Notice Eber-Swanton 138 kV Transmission Line Relocation For Norfolk Southern Railway Project Case No. 17-0348-EL-BNR

Dear Ms. Delaney,

Enclosed please find one copy of the Construction Notice ("CN") application of American Transmission Systems, Incorporated ("ATSI"), a FirstEnergy company, for the Eber-Swanton 138 kV Transmission Line Relocation For Norfolk Southern Railway Project ("Project") that has been filed with the Ohio Power Siting Board ("OPSB"). Please make the CN application available for public reference in the Toledo-Lucas County Public Library. We are providing a copy of the CN application for placement in your library in accordance with Ohio Administrative Code ("OAC") Rule 4906-6-07(A)(2), which requires us to place a copy of the CN application in the main public libraries of the political subdivisions in which any portion of the Project is to be located.

As described in the CN application, the Project proposes to modify two sections of the Eber-Swanton 138 kV Transmission Line by relocating seven (7) structures and removing one (1) structure. The eastern section of the Project will involve the relocation of five (5) structures. The western section of the Project will involve the relocation of two (2) structures and the removal of one (1) structure. The Project will be located in the Village of Swanton and Swanton Township, Lucas County, Ohio and is being done to support Norfolk Southern Railway's project.

Please feel free to call me with any question you have on making the CN available to your patrons. My phone number is (330) 384-2740.

Sincerely,

William R. Beutler

Engineer III

Energy Delivery Transmission and

William R. Beutler

Substation Design

FirstEnergy Service Company



Ms. Janelle Thomas, Director Swanton Public Library 305 Chestnut St. Swanton, OH 43558 February 16, 2017

Construction Notice Eber-Swanton 138 kV Transmission Line Relocation For Norfolk Southern Railway Project Case No. 17-0348-EL-BNR

Dear Ms. Thomas,

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Sincerely,

William R. Beutler

Engineer III

Energy Delivery Transmission and

William R. Beutler

Substation Design

FirstEnergy Service Company

2017 FEB 17 PM 12: 08

2000

AMERICAN TRANSMISSION SYSTEMS, INCORPORATED A FIRSTENERGY COMPANY

CONSTRUCTION NOTICE

EBER-SWANTON 138 kV TRANSMISSION LINE RELOCATION FOR NORFOLK SOUTHERN RAILWAY PROJECT

OPSB CASE NO.: 17-0348-EL-BNR

February 16, 2017

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

CONSTRUCTION NOTICE EBER-SWANTON 138 kV TRANSMISSION LINE RELOCATION FOR NORFOLK SOUTHERN RAILWAY PROJECT

The following information is being provided in accordance with 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: Eber-Swanton 138 kV Transmission Line Relocation For

Norfolk Southern Railway Project ("Project").

2015 LTFR Reference: This Project is not included in the FirstEnergy Corp. 2015

Long Term Forecast Report submitted to the Public Utility Commission of Ohio ("PUCO") in Case Number 15-0649-

EL-FOR.

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

In this Project, American Transmission Systems, Incorporated ("ATSI"), a FirstEnergy company, is proposing to modify two sections of the Eber-Swanton 138 kV Transmission Line to support a Norfolk Southern Railway Project. The Project will involve two separate areas approximately 6,600 feet (1.25 miles) apart from one another along the Eber-Swanton 138 kV Transmission Line.

In the western Project area, as shown in Exhibit 3-1, Applicant is proposing to relocate two (2) structures and remove one (1) structure. The structures in the western Project area will be relocated within the existing right-of-way along the existing centerline for a distance of 950 feet (0.18 miles).

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In the eastern Project area, as shown in Exhibit 3-2, Applicant is proposing to relocate five (5) structures. Two (2) structures will be relocated along the existing centerline, and three (3) structures will be relocated outside of the existing right-of-way for a total relocated line distance of approximately 1,015 feet (0.19 miles).

In this Project, the Applicant will relocate seven (7) total structures and remove one (1) structure. The general location of the Project is shown in Exhibit 1, a partial copy of the United States Geologic Survey, Lucas County OH. Exhibit 2 is a partial copy of Bing aerial imagery. The eastern Project area is located at approximately 2,500 feet (0.48 miles) east of Scott Rd in Swanton Township, Lucas County, Ohio. The western Project area is located east of Broadway St near the intersection of Broadway St and S Fulton-Lucas Rd in the Village of Swanton, Lucas County, Ohio. The general layout is shown in Exhibit 3-1 and 3-2. The Project will be located in Village of Swanton and Swanton Township, Lucas 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)(d)(ii) 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:
 - (d) Line(s) primarily needed to attract or meet the requirements of a specific customer or customers, as follows:
 - (ii) The line is completely on property owned by the specific customer or applicant

The proposed Project is within the requirements of Item (1)(d)(ii) as it involves the relocation of approximately 0.37 miles of the Eber-Swanton Transmission Line in two different areas to meet the specific requirements of Norfolk Southern Railway Company's railyard project and the relocated line is located complete on property owned by Norfolk Southern Railway Company and its subsidiary Pennsylvania Line LLC.

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

The Project is needed to provide the necessary clearance for a Norfolk Southern Railway Company railroad yard project.

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. 2015 Long-Term Forecast Report. This map was submitted to the PUCO in Case No. 15-0649-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 Eber-Swanton 138 kV Transmission Line. The Project area is located approximately 3 ½ inches (11" x 17" printed version) from the left edge of the map and 2 $\frac{7}{8}$ 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. No alternatives to this Project were considered, as no options with fewer impacts were identified.

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

ATSI's manager of External Affairs will advise local officials of the Project and the status of the review of the application as necessary. ATSI will maintain a copy of this Construction Notice application 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 May 22, 2017 and completed by July 31, 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, Lucas County OH. Exhibit 2 provides a partial 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. 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
7299015	Pennsylvania Line LLC	Railroad	Obtained
7299003	Pennsylvania Line LLC	Rear Land	To Be Obtained
7222352	Norfolk Southern Railway Company	Scott Rd	To Be Obtained
7299017	Pennsylvania Line LLC	Railroad	Obtained
7509016	Norfolk Southern Railway Company	200 N Hallett Rd Swanton, OH 43558	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:

954 kemil 37 AAC

Static Wire:

7#10 Alumoweld

Insulators:

Polymer

ROW Width:

60 feet

Structure Types:

Exhibit 4: Single Circuit, Wood Pole, Tangent Structure with

Distribution Underbuild. Three (3) structures are needed.

Exhibit 5: Single Circuit, Wood Pole, Pull Off Structure with

Distribution Underbuild. One (1) structure is needed.

Exhibit 6: Single Circuit, Steel Pole, Light Angle Structure with

Distribution Underbuild. One (1) structure is needed.

Exhibit 7: Single Circuit, Steel Pole, Pull Off Structure with

Distribution Underbuild. One (1) structure is needed.

Exhibit 8: Single Circuit, Steel Pole, Strain Structure with

Distribution Underbuild. One (1) structure is needed.

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

The closest occupied residence or institution is approximately 270 feet from the proposed transmission line centerline, therefore no Electric and Magnetic Field ("EMF") calculations are required.

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

The estimated capital cost for the proposed Project is approximately \$802,125.

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

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

The proposed Project will be located in Village of Swanton and Swanton Township, Lucas County, Ohio. The main land use around the Project is agricultural and railroad corridor. The proposed Project is located adjacent to a proposed new rail yard in existing agricultural zoned land.

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

Agricultural land does currently exist within the Project's disturbance area. The existing Eber-Swanton 138 kV Transmission Line is adjacent to agricultural land. Norfolk Southern Railway Company's project will convert most of the existing adjacent agricultural land into a railroad corridor land use. A list of all agricultural land and approximate acreage including agricultural district land is given in Table 2.

Table 2: Agricultural Lands within the Project's Disturbance Area

Parcel Number	Property Owner	Acreage	Agricultural District	Agricultural District Expiration
7299003	Pennsylvania Line LLC	1.05	No	N/A
7222352	Norfolk Southern Railway Company	41.62	No	N/A
7509016	Norfolk Southern Railway Company	36.20	No	N/A

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

As part of the investigation completed for the Project, 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 Exhibits 9-1 and 9-2.

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

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in American history, architecture, archeology, engineering, and culture. The results of the search indicate that no listed NRHP sites and no 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 resource has been previously inventoried within 0.5 miles of the Project area. No listed structural resource is located within 0.5 miles of the Project area. One (1) previous cultural resource survey was conducted within 0.5 miles of the Project area and is provided in Table 3. No OGS cemeteries are located within 0.5 miles of the Project area.

Table 3. List of Previous Cultural & Historic Resource Survey

Year	Name	County	Municipality
2011	Phase I Cultural Resource Management Survey of a Proposed Cell Tower (Swanton East/ OH0768) in Swanton Township, Lucas County	Lucas	Swanton Village

Based upon the results of the OHPO online database there are no cultural resources within the Project's area and no impacts are expected.

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

Table 4 shows the list of government agency requirements and the filing status at the time of filing.

Table 4. List of Government Agency Requirements to be Secured Prior to Construction

Agency	Permit Requirement	Status
Ohio EPA	General NPDES Construction Strom Water Permit	Will be Filed
FAA	Determination of Hazard Permit	Filed

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

ATSI submitted a request to the Ohio Department of Natural Resources ("ODNR") Office of Real Estate to conduct an Environmental Review on December 13, 2016. 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 January 30, 2017 indicated that five (5) federally and state endangered species, one (1) federally threatened and state endangered species, eleven (11) state threatened species, and one (1) state potentially 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 10.

ATSI also submitted a request to the US Fish and Wildlife Service ("USFWS") for an Ecological Review on December 13, 2016, to identify 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 11. The USFWS's response on December 14, 2016 indicated that they have records of one (1) federally 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 5.

It should be noted that the proposed Project work limits lie within the footprint of the ongoing Norfolk Southern rail yard construction, which is the reason for the proposed

ATSI Project. No adverse impact to any of the identified species is anticipated, as no additional areas will be disturbed. Additionally, Norfolk Southern Railway has confirmed that they have obtained all permits and completed Section 7 consultation in support of their development.

Table 5. List of Endangered, Threatened, and Rare Species.

Table 5: 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	Threatened	Trees & Forest	
Snuffbox	Epioblasma triquetra	Endangered	Endangered	Perennial Streams	
Eastern Pondmussel	Ligumia nasuta	N/A	Endangered	Perennial Streams	
Rayed Bean	Villosa fabalis	Endangered	Endangered	Perennial Streams	
Pondhorn	Uniomerus tetralasmus	N/A	Threatened	Perennial Streams	
Black Sandshell	Ligumia recta	N/A	Threatened	Perennial Streams	
Fawnsfoot	Truncilla donaciformis	N/A	Threatened	Perennial Streams	
Threehorn Wartyback	Obliquaria reflexa	N/A	Threatened	Perennial Streams	
Banded Killifish	Fundulus diaphanus menona	N/A	Endangered	Perennial Streams	
Lake Sturgeon	Acipenser fulvescens	N/A	Endangered	Perennial Streams	
Channel Darter	Percina copelandi	N/A	Threatened	Perennial Streams	
American Eel	Anguilla rostrata	N/A	Threatened	Perennial Streams	
Greater Redhorse	Moxostoma valenciennesi	N/A	Threatened	Perennial Streams	

T	Table 5: List of Endangered, Threatened, and Rare Species					
Common Name	Scientific Name	Federal Listed Status	State Listed Status	Affected Habitat		
Blanding's Turtle	Emydoidea blandingii	N/A	Threatened	Marshes, Ponds, Lakes, Streams & Wetlands		
Spotted Turtle	Clemmys guttata	N/A	Threatened	Bogs, Marshes, Wetlands, & Sluggish Waters		
Kirtland's Snake	Clonophis kirtlandii	N/A	Threatened	Wet Fields & Meadows		
Eastern Massasauga	Sistrurus catenatus	Threatened	Endangered	Wetlands & Adjacent Upland Habitat		
Blue-Spotted Salamander	Ambystoma laterale	N/A	Endangered	Wetlands, Wet Prairies, Pools, & Damp Forest		
Piping Plover	Charadrius melodus	Endangered	Endangered	Stopover Habitat		
Kirtland's Warbler	Setophaga kirtlandii	Endangered	Endangered	Stopover Habitat		
American Bittern	Botaurus lentiginosus	N/A	Endangered	Bogs, Swamps, & Wetlands		
Black Tern	Chlidonias niger	N/A	Endangered	Undisturbed Inland Marshes with Dense Vegetation		
Common Tern	Sterna hirundo	· N/A	Endangered	Natural or Man-Made Islands		
King Rail	Rallus elegans	N/A	Endangered	Marshes		
Cattle Egret	Bubulcus ibis	N/A	Endangered	Wetlands		
Lark Sparrow	Chondestes grammacus	N/A	Endangered	Grassland, Disturbed Open Areas, & Bare Soil		
Upland Sandpiper	Bartramia longicauda	N/A	Endangered	Dry Grassland & Ungrazed Pastures		
Purple Triple- Awned Grass	Aristida purpurascens	N/A	Potentially Threatened			

Table 5: List of Endangered, Threatened, and Rare Species						
Common Name	Scientific Name	Federal Listed Status	State Listed Status	Affected Habitat		
Sessile Tick- Trefoil	Aristida purpurascens	N/A	Threatened			
Prarie Gentian	Gentiana puberulenta	N/A	Endangered			

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 on the site as it is currently clear of both trees and shrubs.

The response from ODNR indicated that the Snuffbox (Epioblasma triquetra), the Eastern Pondmussel (Ligumia nasuta), the Rayed Bean (Villosa fabalis), the Pondhorn (Uniomerus tetralasmus), the Black Sandshell (Ligumia recta), the Fawnsfoot (Truncilla donaciformis), the Threehorn Wartyback (Obliquaria reflexa), the Banded Killifish (Fundulus diaphanus menona), the Lake Sturgeon (Acipenser fulvescens), the Channel Darter (Percina copelandi), the American Eel (Anguilla rostrata), and the Greater Redhorse (Moxostoma valenciennesi) are within the range of the Project Area. No impacts to these species are expected due to the Project's location and because no work is proposed in streams or wetlands.

The response from ODNR indicated that the Blanding's Turtle (*Emydoidea blandingii*), the Spotted Turtle (*Clemmys guttata*), the Kirtland's Snake (*Clonophis kirtlandii*), the Eastern Massasauga (*Sistrurus catenatus*), and the Blue Spotted Salamander (*Ambystoma laterale*) are within the range of the Project Area. No impacts to these species are expected due to the Project's location, the type of habitat at the Project site and within the vicinity of the project area, and the type of work proposed.

The response from ODNR indicated that the Project area is within the range of the Piping Plover (*Charadrius melodus*), and Kirtland's Warbler (*Setophaga kirtlandii*). These species do not nest within the state and only utilize stopover habitat as they migrate through the region. No impacts to these species are expected due to the Project location and type of work proposed.

The response from ODNR indicated that the Project area is within the range of the American Bittern (*Botaurus lentiginosus*). This species nests in large undisturbed wetlands that have scattered small pools amongst dense vegetation such as bogs, large wet meadows, and dense shrubby swamps habitats. The nesting period is May 1st to July 31st. No impacts to this species is expected due to the Project's location and because no work is proposed in wetlands.

The response from ODNR indicated that the Project area is within the range of the Black Tern (*Chlidonias niger*). This species nests in large, undisturbed inland marshes with fairly dense vegetation and pockets of open water on top of muskrat houses or on top of floating vegetation. The nesting period is April 1st to June 30th. No impacts to this species is expected due to the Project's location and because no work is proposed in wetlands.

The response from ODNR indicated that the Project area is within the range of the Common Tern (*Sterna hirundo*). This species nests on natural or man-made islands that are free of mammalian predators and human disturbance. The nesting period is May 1st to August 1st. No impacts to this species is expected due to the Project's location and because no work is proposed in suitable habitat.

The response from ODNR indicated that the Project area is within the range of the King Rail (*Rallus elegans*). This species nests on deep bowls constructed out of grass and usually hidden very well in marsh vegetation. The nesting period is May 1st to August 1st. No impacts to this species is expected due to the Project's location and because no work is proposed in wetlands.

The response from ODNR indicated that the Project area is within the range of the Cattle Egret (*Bubulcus ibis*). This species nests on in wetland habitats with a nest built of sticks. The nesting period is May 15th to August 15th. No impacts to this species is expected due to the Project's location and because no work is proposed in wetlands.

The response from ODNR indicated that the Project area is within the range of the Lark Sparrow (*Chondestes grammacus*). This species nests in grassland habitats with scattered shrub layers, disturbed open areas, as well as patches of bare soil. In the Oak Openings area west of Toledo, Lark Sparrows occupy open grass and shrubby fields along sandy beach ridges." The Lark Sparrow has a nesting period of May 1st to June 30th. Construction access will utilize an existing road bed adjacent to a railway, and is fully established before May 1st. The Project work limits are within the area currently under construction by Norfolk Southern Railway, and will utilize their established construction access roads. As a result, the Project is not anticipated to have an adverse effect on this species.

The response from ODNR indicated that the Project area is within the range of the Upland Sandpiper (*Bartramia longicauda*). This species nests on dry grasslands including native grasslands, seeded grasslands, grazed and ungrazed pasture, hayfields, and grasslands established habitats. The nesting period is April 15th to July 31st. Construction access will utilize an existing road bed adjacent to a railway, and is fully established before April 15th. As stated, the project work limits are within the area currently under construction by Norfolk Southern Railway, and will utilize their established construction access roads. As a result, the Project is not anticipated to have an adverse effect on this species.

The response from ODNR indicated that records for the Purple Triple-Awned Grass (Aristida purpurascens), the Sessile Tick-Trefoil (Aristida purpurascens), and the Prairie Gentian (Gentiana puberulenta) are within one mile of the Project Area. The ODNR

response includes a recommendation for a pre-construction survey to ensure the Prairie Gentian is not impacted. However, given the fact that the Project footprint is within area already developed / under construction by Norfolk Southern Railway, a survey will not be performed. ATSI has informed ODNR of these details, and on an email dated February 13, 2017 they agreed the survey is not warranted.

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

The ODNR Office of Real Estate also 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 January 30, 2017 indicated that they have one (1) record of an unique ecological area within one (1) mile of the identified project area.

The wildlife area is the Oak Opening Preserve (Toledo Metroparks) which is located approximately 0.75 miles away from the project. Due to the distance away from the Project area no impacts are anticipated to the Oak Opening Preserve from the Project.

ATSI conducted a wetland and stream assessment of the Project area on January 4, 2017. The investigation covered the approximately 6.2 acre study area around the proposed Project centerline, access roads, and additional workspace areas. The results of the assessment are shown in Exhibit 12. One (1) perennial stream was identified in the assessment as being jurisdictional. One (1) non-jurisdiction ditch which was recently modified for stormwater management associated with the railroad construction activities north of the proposed Project Area was also identified during the assessment.

A construction access plan has been developed as part of the Project to avoid or minimize disturbance of the stream. The construction access plan is shown in Exhibit 13-1 and 13-2. Best Management Practices ("BMPs") such as temporary bridging with construction matting, will be implemented to avoid impacts. ATSI will utilize Norfolk Southern

Railway's established access roads, and construction activities will be implemented in accordance with construction storm water permit requirements.

The Project work limits do encroach on a regulated 100 year floodplain based on a review of online FEMA Flood Insurance Rate Mapping. Exhibit 14 depicts the location of the regulated flood plains floodplains in relation to the Project Area. The floodplain is labeled as Flood Zone A, for which base flood elevations have not been determined. No changes in flood elevations are expected in the identified floodplain as part of ATSI's proposed work. Any fill materials necessary to support construction access will be removed during site restoration to return the site to original grade.

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 Letter of Notification Transmittal and Availability for Public Review

This Letter of Notification is being provided concurrently with its docketing with the Board to the following officials in Village of Swanton and Swanton Township, Lucas County, Ohio.

Lucas County

Commissioner Pete Gerken, President Lucas County Commissioners One Government Center, Suite 800 Toledo, OH 43604

Commissioner Carol Contrada, Lucas County Commissioners One Government Center, Suite 800 Toledo, OH 43604

Commissioner Tina Skeldon Wozniak, Lucas County Commissioners One Government Center, Suite 800 Toledo, OH 43604

Ms. Laura Lloyd-Jenkins Lucas County Administrator One Government Center, Suite 800 Toledo, OH 43604

Swanton Township

Mr. Jeff Michael, Chairman Swanton Township Trustee 13410 Airport Highway Swanton, OH 43558

Mr. Gary Schoeder, Vice Chairman Swanton Township Trustee 13410 Airport Highway Swanton, OH 43558

Village of Swanton

Mayor Ann Roth, Village of Swanton 219 Chestnut St. Swanton, OH 43558 Mr. Keith G. Earley P.E., P.S. Lucas County Engineer 1049 S. McCord Road Holland, OH 43528

Mr. Douglas J. Parrish, P.E., S.I. Lucas County Planning Department 1049 S. McCord Road Holland, OH 43528

Mr. Bob Neubert, Lucas County Floodplain Manager 1049 S. McCord Road Holland, OH 43528

Ms. Cindy Burkey Swanton Township Trustee 13410 Airport Highway Swanton, OH 43558

Ms. Peggy Michael Swanton Township Fiscal Officer 13410 Airport Highway Swanton, OH 43558

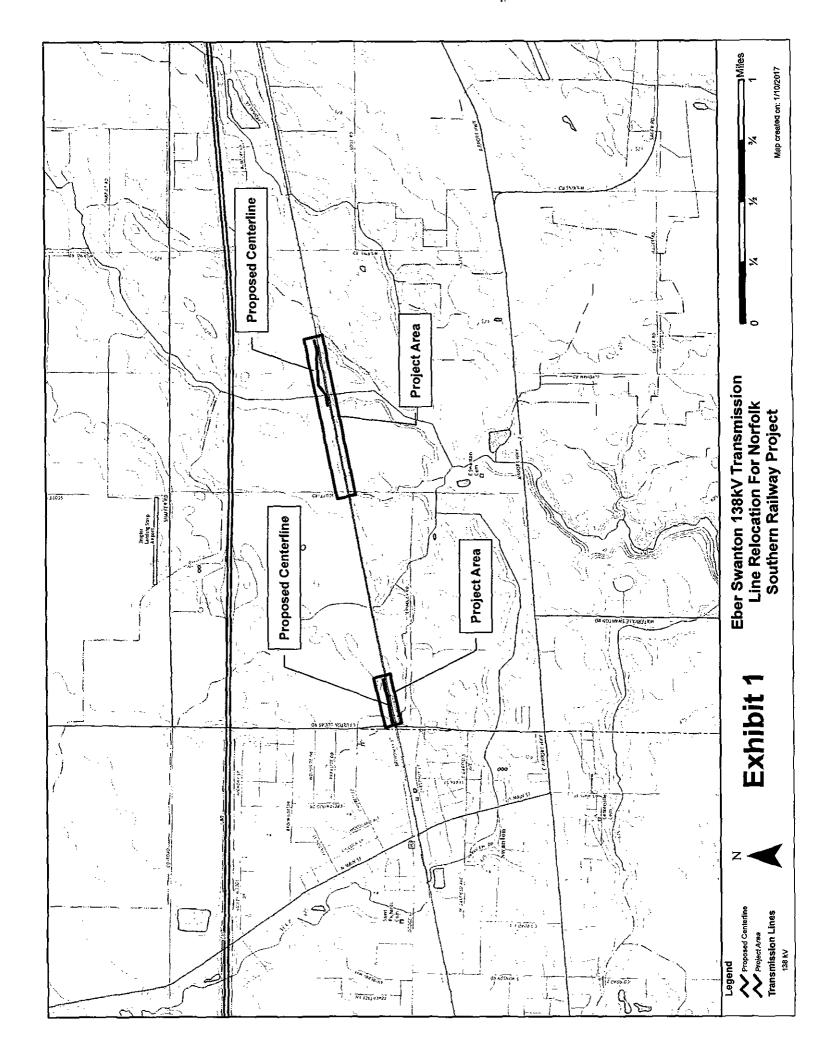
Ms. Rosanna Hoelzle, Administrator Village of Swanton 219 Chestnut St. Swanton, OH 43558 Mr. Paul Dzyak, President Village of Swanton Council 219 Chestnut St. Swanton, OH 43558 Mr. Roger DeGood, Chair Planning Commission Village of Swanton 219 Chestnut St. Swanton, OH 43558

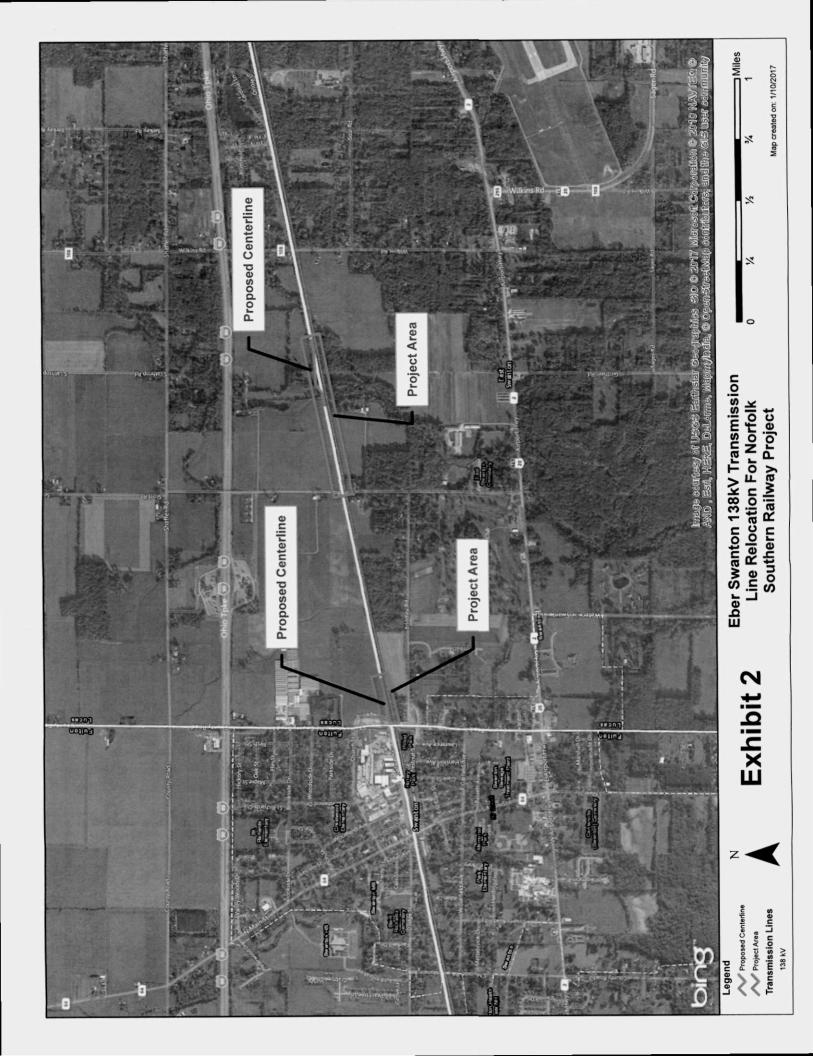
Libraries

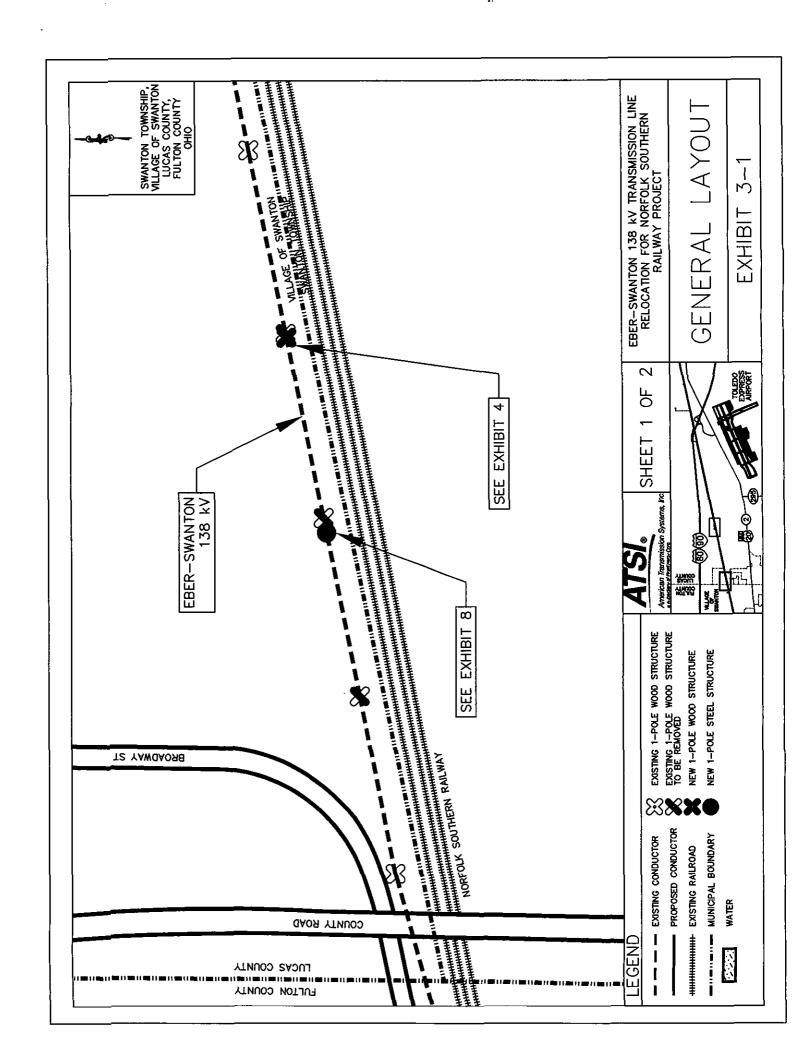
Ms. Meg Delaney. Manager Toledo-Lucas County Public Library Main Branch 325 Michigan St. Toledo, OH 43604 Ms. Janelle Thomas, Director Swanton Public Library 305 Chestnut St. Swanton, OH 43558

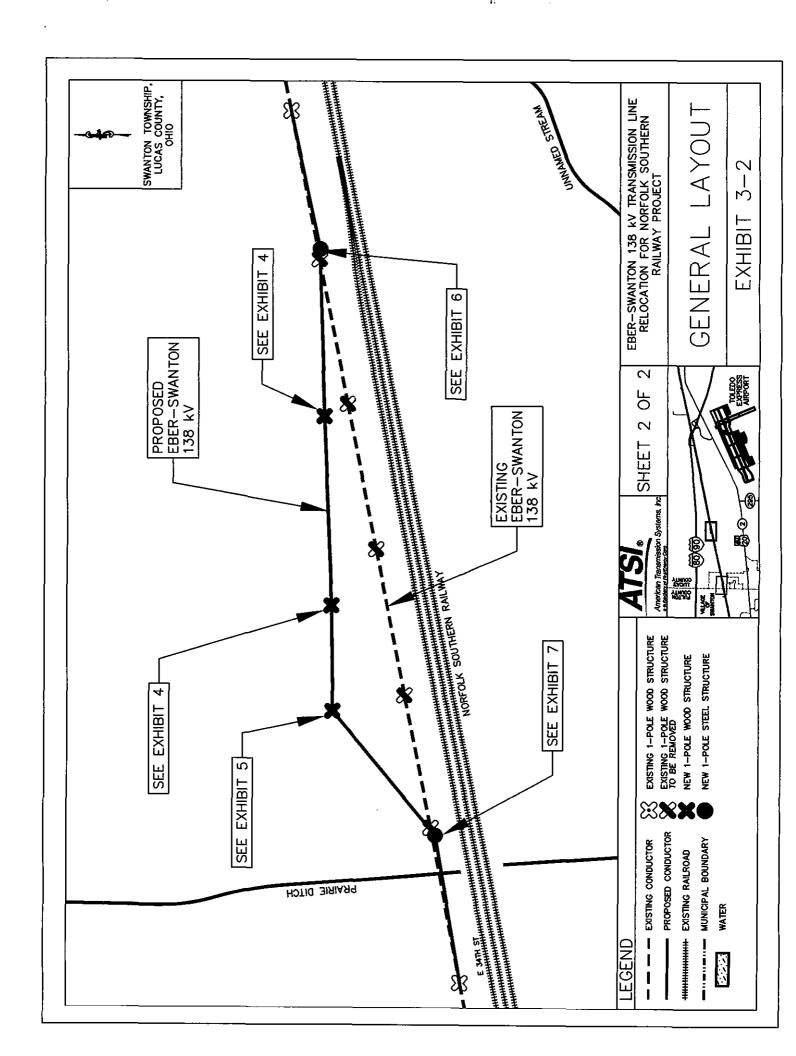
Copies of the transmittal letters to these officials have been included with the transmittal letter submitting this Construction Notice to the Board, and are being provided to meet the requirement of OAC Rule 4906-6-07 (B) to provide the Board with proof of compliance with the notice requirement to local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

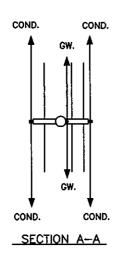
Instructions for requesting an electronic or paper copy of this Construction Notice is posted on www.firstenergycorp.com/about/transmission_project/ohio.html. The link to the website is provided in accordance with OAC Rule 4906-6-07 (B) and to provide the Board with proof of compliance with the notice requirements in OAC Rule 4906-6-07 (A)(3).

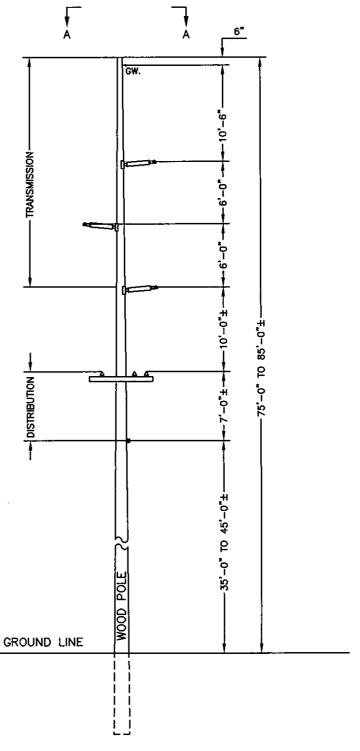








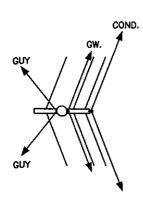




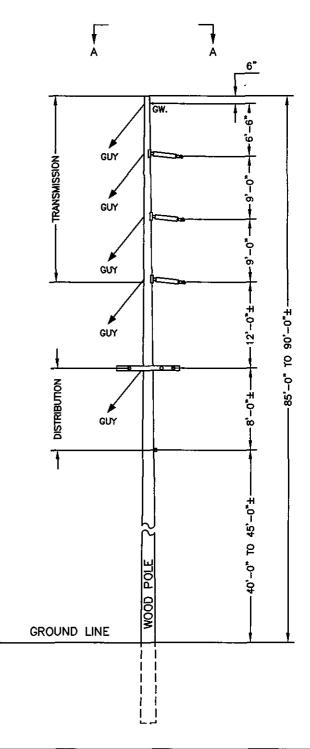


EBER-SWANTON 138 kV TRANSMISSION LINE RELOCATION FOR NORFOLK SOUTHERN RAILROAD

SINGLE CIRCUIT, WOOD POLE, TANGENT STRUCTURE WITH DISTRIBUTION UNDERBUILD



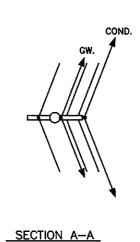
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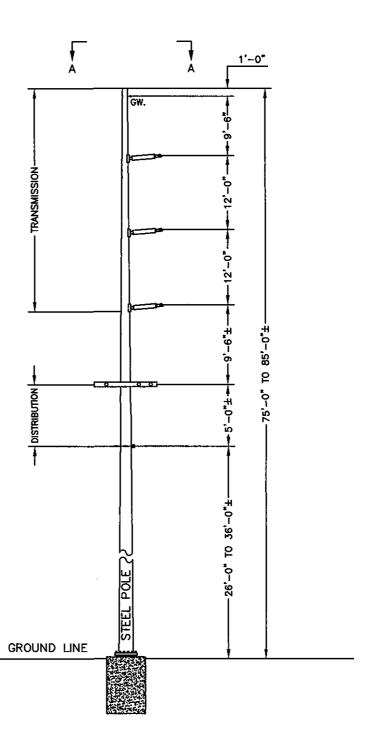




EBER-SWANTON 138 kV TRANSMISSION LINE RELOCATION FOR NORFOLK SOUTHERN RAILROAD

SINGLE CIRCUIT, WOOD POLE, PULL OFF STRUCTURE WITH DISTRIBUTION UNDERBUILD

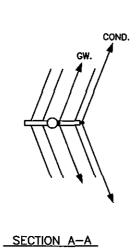


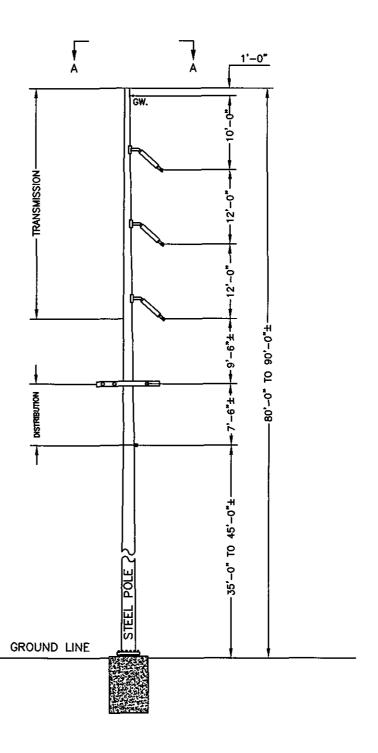




EBER-SWANTON 138 kV TRANSMISSION LINE RELOCATION FOR NORFOLK SOUTHERN RAILROAD

SINGLE CIRCUIT, STEEL POLE, LIGHT ANGLE STRUCTURE WITH DISTRIBUTION UNDERBUILD

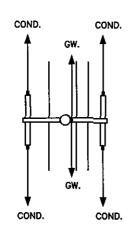




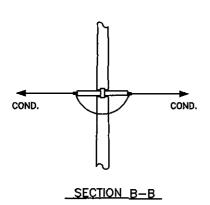


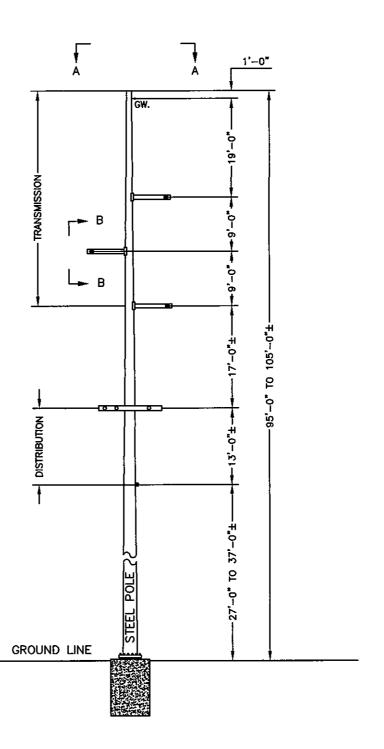
EBER-SWANTON 138 kV TRANSMISSION LINE RELOCATION FOR NORFOLK SOUTHERN RAILROAD

SINGLE CIRCUIT, STEEL POLE, PULL OFF STRUCTURE WITH DISTRIBUTION UNDERBUILD



SECTION A-A



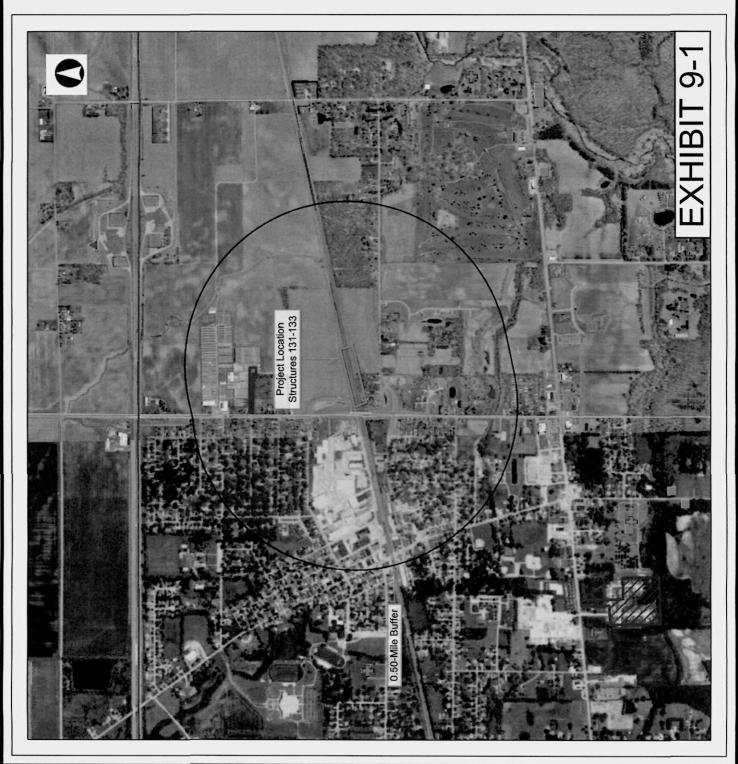


**NOT TO SCALE



EBER-SWANTON 138 kV TRANSMISSION LINE RELOCATION FOR NORFOLK SOUTHERN RAILROAD

SINGLE CIRCUIT, STEEL POLE, STRAIN STRUCTURE WITH DISTRIBUTION UNDERBUILD





Ohio Historic
Preservation Office

Legend

NR Listings

National Historic Landmark
 Delisted

NR Determinations of Eligibi

Archaeological Sites Historic Structures

Historic Tax Credit Projects Historic Bridges

OGS Cemeteries

Dams

UTM Zone Split NR Boundaries

Phase1

Phase2

Historic Previously Surveyed Phase3

Highways

1: 24,000

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Datum: [Datum]
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Ohio Historic
Preservation Office

Legend

NR Listings

Listed
 National Historic Landmark
 Delisted

NR Determinations of Eligibi

Archaeological Sites

Historic Structures

Historic Bridges

Historic Tax Credit Projects

OGS Cemeteries Dams

UTM Zone Split

NR Boundaries

Phase1

Phase2

Historic Previously Surveyed Phase3

Highways

1:24,000

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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

January 30, 2017

William Beutler FirstEnergy 76 South Main Street Akron, Ohio 44308

Re: 16-915; Eber-Swanton 138 kV Transmission Line Relocation For Norfolk & Southern Railroad Project

Project: The Project will relocate two separate sections of the Eber-Swanton 138 kV Transmission Line by relocating approximately nine (9) structures and remove approximately one (1). The eastern section will relocate approximately five (5) structures.

Location: The proposed project is located in Swanton Township, Lucas 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 records at or within a one-mile radius of the project area:

Purple triple-awned grass (Aristida purpurascens), P Sessile tick-trefoil (Desmodium sessilifolium), T Oak Openings Preserve – Toledo Metro Parks

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. This information is provided to inform you of features present within your project area and vicinity. Additional comments on some of the features may be found in pertinent sections below.

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.

EXHIBIT 10

Statuses are defined as: E = state endangered; T = state threatened; P = state potentially threatened; SC = state species of concern; SI = state special interest; A = species recently added to state inventory, status not yet determined; X = presumed extirpated in Ohio; FE = federal endangered, FT = federal threatened, FSC = federal species of concern, FC = federal candidate species.

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: 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 snuffbox (*Epioblasma triquetra*), a state endangered and federally endangered mussel, the eastern pondmussel (*Ligumia nasuta*), a state endangered mussel, the range of the rayed bean (*Villosa fabalis*), a state endangered and federally endangered mussel, the pondhorn (*Uniomerus tetralasmus*), a state threatened mussel, the black sandshell (*Ligumia recta*), a state threatened mussel, the fawnsfoot (*Truncilla donaciformis*), a state threatened mussel, and the threehorn wartyback (*Obliquaria reflexa*), 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 western banded killifish (Fundulus diaphanus menona), a state endangered fish, the lake sturgeon (Acipenser fulvescens), a state endangered fish, the channel darter (Percina copelandi), a state threatened fish, the American eel (Anguilla rostrata), a state threatened fish, and the greater redhorse (Moxostoma valenciennesi), 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 Blanding's turtle (*Emydoidea blandingii*), a state threatened species. This species inhabits marshes, ponds, lakes, streams, wet meadows, and swampy forests. Although essentially aquatic, the Blanding's turtle will travel over land as it moves from one wetland to the next. Due to the location, the type of habitat at the project site and within the

EXHIBIT 10

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 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 Kirtland's snake (*Clonophis kirtlandii*), a state threatened species. This secretive species prefers wet fields and meadows. 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 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 adjacent drier upland habitat. 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 blue-spotted salamander (Ambystoma laterale), a state endangered species. 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 piping plover (Charadrius melodus), a state endangered, and federally endangered bird, and the Kirtland's warbler (Setophaga kirtlandii), a state endangered and federally endangered bird. These species do not nest in the state but only utilize stopover habitat as they migrate through the region. Due to the location, and the type of work proposed, this project is not likely to impact these species.

The project is within the range of the American bittern (*Botaurus lentiginosus*), a state endangered bird. Nesting bitterns prefer large undisturbed wetlands that have scattered small pools amongst dense vegetation. They occasionally occupy bogs, large wet meadows, and dense shrubby swamps. If this type of habitat will be impacted, construction should be avoided in this habitat during the species' nesting period of May 1 to July 31. If this type of habitat will not be impacted, this project is not likely to impact this species.

The project is within the range of the black tern (*Chlidonias niger*), a state endangered bird. The black tern prefers large, undisturbed inland marshes with fairly dense vegetation and pockets of open water. They nest in various kinds of marsh vegetation but cattail marshes are generally favored. Nests are built on top of muskrat houses or on top of floating vegetation. If this type of habitat will be impacted, construction should be avoided in this habitat from April 1 to June 30 to reduce impacts to this species. If this type of habitat will not be impacted, this project is not likely to impact this species.

The project is within the range of the common tern (Sterna hirundo), a state endangered bird. The preferred nesting sites of common terns are natural or man-made islands that are free of mammalian predators and human disturbance. They will also utilize mainland beaches and dredge disposal areas but only when islands are unavailable. The common tern nests in colonies. Their eggs are laid in a grass-lined depression in the sand. If this type of habitat will be impacted,

construction should be avoided in this habitat during the species' nesting period of May 1 to August 1. If this type of habitat will not be impacted, this project is not likely to impact this species.

The project is within the range of the king rail (Rallus elegans), a state endangered bird. Nests for this species are deep bowls constructed out of grass and usually hidden very well in marsh vegetation. If this type of habitat will be impacted, construction should be avoided in this habitat during the species' nesting period of May 1 to August 1. If this type of habitat will not be impacted, this project is not likely to impact this species.

The project is within the range of the cattle egret (Bubulcus ibis), a state endangered bird. Cattle egrets are not strictly wetland birds. They often forage in dry pastures and fields. Egrets nest in colonies and will build a nest out of sticks and other materials wherever it can be supported. If this type of habitat will be impacted, construction should be avoided in this habitat during the species' nesting period of May 15 to August 15. If no wetland habitat will be impacted, 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. In the Oak Openings area west of Toledo, lark sparrows occupy open grass and shrubby fields along sandy beach ridges. These summer residents normally migrate out of Ohio shortly after their young fledge or leave the nest. If this type of habitat will be impacted, construction should be avoided in this habitat during the species' nesting period of May 1 to June 30. If this type of habitat will not be impacted, 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). If this type of habitat will be impacted, construction should be avoided in this habitat during the species' nesting period of April 15 to July 31. If this type of habitat will not be impacted, 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.

Natural Areas: The Division of Natural Areas and Preserves has the following comment.

The project has potential of impacting a population of state endangered prairie gentian (Gentiana puberulenta). There is a historical record occurring along the Conrail railroad near Wilkins Road. Because of the potential disruption, it is recommended that a pre-construction survey be conducted to ensure that the plant is not impacted. If you have any questions regarding the prairie gentian or are in need of survey assistance, please contact DNAP's Chief Botanist, Rick Gardner, at rick.gardner@dnr.state.oh.us or 614-265-6419.

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/water-use-planning/floodplain-management#PUB

EXHIBIT 10

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



Beutler, William R

From: susan_zimmermann@fws.gov on behalf of Ohio, FW3 <ohio@fws.gov>

Sent: Wednesday, December 14, 2016 2:14 PM

To: Beutler, William R

Cc: nathan.reardon@dnr.state.oh.us; kate.parsons@dnr.state.oh.us

Subject: *EXTERNAL* Eber-Swanton 138 kV Transmission Line Relocation, Lucas 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-0366

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

Kate Parsons, ODNR-DOW



Eber-Swanton 138 kV Transmission Line Relocation For Norfolk Southern Railway Project Case Number 17-0348-EL-BNR

Date: February 16, 2017

Exhibit 12
Wetland and Water Determination Memo

Date: February 6, 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 Determination
Eber-Swanton Line
Structure Relocation for Norfolk and Southern Railroad Project

INTRODUCTION

On January 4, 2017, a corridor approximately 60 feet wide and 800 feet long (~1.1 acres) located east of Broadway Street and a corridor ranging from approximately 60 to 250 feet wide and 3,000 feet long located east of Scott Road both in Swanton, Ohio (~5.1 acres) were 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 corridors were identified and their boundaries determined using the procedures outlined in the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region Version 2.0 (Regional Supplement) (U.S. Army Corps of Engineers, 2010).

The project corridors were 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

1

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

Vegetation within both corridors was either mown or non-existent at the time of the field investigation. No trees or shrubs were identified within either project corridor at the time of the field investigation. A portion of a perennial stream determined to be Prairie Ditch traverses the corridor located east of Scott Road. This feature is currently crossed via a bridge constructed of steel plates. No areas within the corridor investigated exhibited a dominance of hydrophytic vegetation. One drainage channel was observed along the eastern portion of the corridor located east of Scott Road. This channel was recently excavated seemingly for stormwater management associated with construction activities located north of the study corridor. This feature would not be considered a jurisdictional water.

Any proposed construction activity within the perennial stream is subject to regulations pursuant to Section 404 of the Clean Water Act.

It was determined that a portion of the corridor located east of Scott Road is mapped as a 100 year flood plain on the flood insurance rate map for Lucas County, Ohio. Depending on the activity, construction within this area may require approval from the local floodplain administrator.

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. 2010. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region (Version 2.0), ed. J. S. Wakeley, R. W. Lichvar, and C. V. Noble. ERDC/EL TR-10-16. 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.

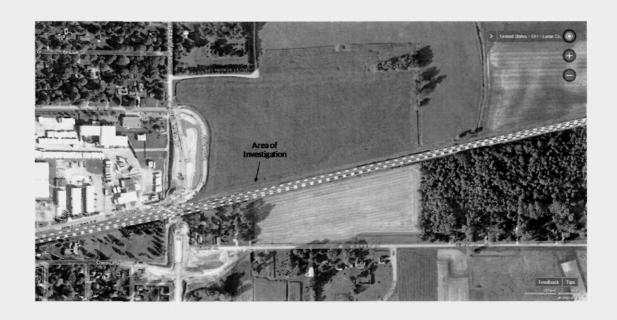


Figure 1
Aerial of the investigated corridor.

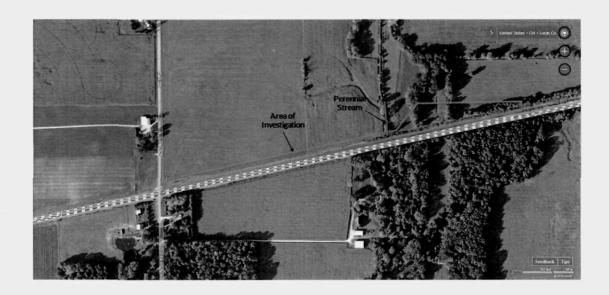


Figure 2
Aerial of the investigated corridor.



Photo 1

View facing northeast showing investigated corridor located east of Broadway Street.



Photo 2

View facing southwest showing investigated corridor located east of Broadway Street.



Photo 3

View facing southwest showing the southwest terminus of the investigated corridor located east of Broadway Street.



Photo 4

View facing northeast showing investigated corridor located east of Scott Road.



Photo 5

View facing northeast showing investigated corridor located east of Scott Road.



Photo 6

View facing southwest showing investigated corridor located east of Scott Road.



Photo 7

View facing north showing temporarily flooded area associated with perennial stream.



Photo 8

View facing south showing perennial stream at railroad culvert.



Photo 9

View facing southwest showing steel plates bridging perennial stream.



Photo 10

View facing northeast showing portion of investigated corridor located east of Scott Road.



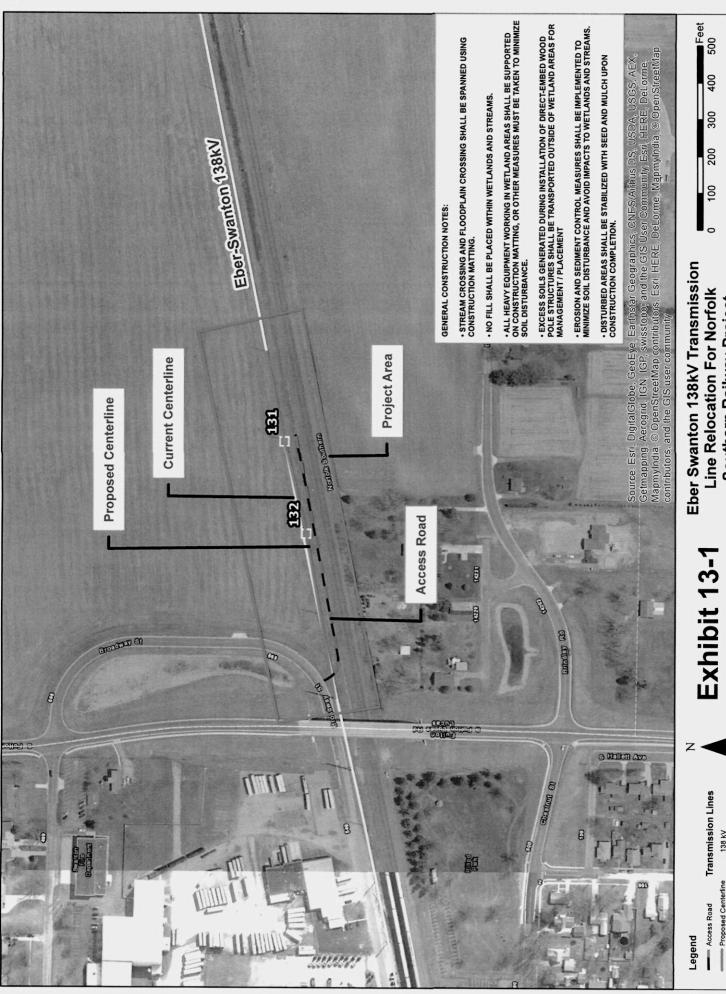
Photo 11

View facing northeast showing portion of investigated corridor located east of Scott Road



Photo 12

View facing southwest showing investigated corridor located east of Scott Road.



Southern Railway Project

Proposed Structures 138 KV

Proposed Centerline Project Area

Map created on: 2/2/2017

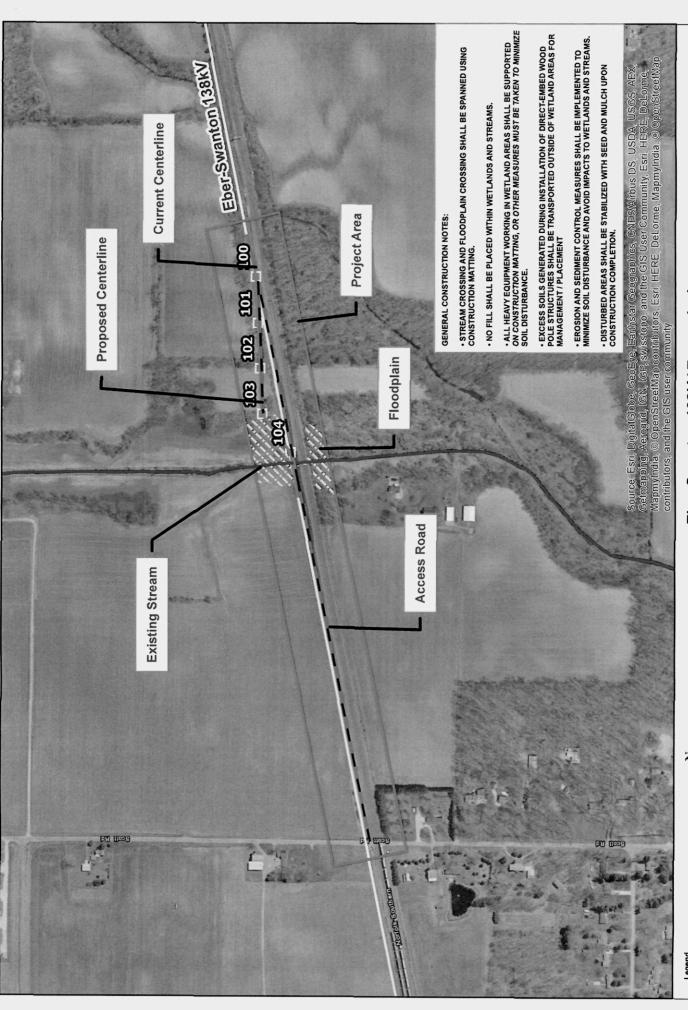


Exhibit 13-2

Access Road with Matting Proposed Structures

Access Road

Transmission Lines

Eber Swanton 138kV Transmission Line Relocation For Norfolk

1,000

Southern Railway Project

Map created on: 2/2/2017

