

BEFORE THE OHIO POWER SITING BOARD

In the Matter of the Application of)	
Big Plain Solar, LLC for a)	
Certificate of Environmental)	Case No. 19-1823-EL-BGN
Compatibility and Public Need)	

DIRECT TESTIMONY OF TOM BRAMAN

Q.1. Please state your name, title and business address.

A.1. My name is Tom Braman. I am a Senior Environmental Scientist, Project Manager at Westwood Professional Services (“Westwood”). My business address is 12701 Whitewater Drive, Suite 300, Minnetonka, Minnesota 55343.

Q.2. What are your duties as a Senior Environmental Scientist?

A.2. I have been an environmental consultant for over 30 years. I joined Westwood nine years ago as an environmental consultant. I conduct and oversee staff investigations nationwide for natural resources and economics. I work with local, state and federal regulatory agencies and clients to assess and report project impacts and prepare permit applications for developments associated with housing and commercial land, electric generation and transmission from solar, wind projects and for development of oil, gas and pipeline projects. I have worked on projects in over 25 states. Prior to working at Westwood, I worked for Acorn Environmental Consultants for over 20 years as an environmental project manager. Between 1995 and 1997, I worked for Summit Envirosolutions, Inc. as the wetland group manager and I am a certified wetland

delineator. From 1989 to 1997 I worked for Enviroscience, Inc. as a biologist/economist. From 1977 to 1987 I was a co-owner of Timberdoodle Vegetable Farms. I served as Westwood's lead project manager for the Madison Solar Farm ("Project"). I was responsible for environmental investigations and agency coordination for natural resources and environmental impact assessment, drafting and reviewing the Exhibit I to the Application, which is the Habitat Assessment Report ("HAR") for the Project, and providing overall coordination between Big Plain Solar, LLC ("Applicant") and Westwood's scientists, archaeologists, historians, engineers, and technicians.

Q.3. What is your educational and professional background?

A.3. I earned a Bachelor of Science Degree in biology from Bemidji State University and worked on graduate studies in Agricultural and Applied Economics from the University of Minnesota.

Q.4. On whose behalf are you offering testimony?

A.4. I am testifying on behalf of the Applicant in support of its Application filed in Case No. 19-1823-EL-BGN and the Joint Stipulation filed in this proceeding.

Q.5. What is the purpose of your testimony?

A.5. The purpose of my testimony is to describe the habitat assessment screening analysis Westwood undertook on behalf of the Applicant and to summarize the results of that analysis with regard to habitat assessments for federal- and state-listed threatened and endangered species and other wildlife in general, existing vegetation, and cultural and historic resources. Michael Richard, who is employed by the Applicant and is the sponsoring witness for the Application, will be testifying regarding wetlands, which is also addressed in Exhibit I.

1 **Q.6. Please describe the analysis that you and your firm undertook on behalf of the**
2 **Applicant.**

3 **A.6.** Westwood developed the HAR on behalf of the Applicant, which was attached to
4 the Application as Exhibit I. The purpose of the HAR was to evaluate the following:
5 topography; soils; water resources; floodplains; potential occurrence of threatened and
6 endangered species; archaeological, cultural, and historic resources; and airports and FAA
7 permitting. The HAR was created through desktop review of available Geographic
8 Information System data and Westwood's previous experience on solar energy projects in
9 Ohio. On-site field studies were also conducted to (1) evaluate potential habitat for bats
10 within the Project Area, (2) to delineate wetlands and watercourses within the Project Area,
11 and (3) to survey vegetative communities within 100 feet of the Project Area.

12 **Q.7. What was your role in the HAR conducted for the Application?**

13 **A.7.** My role was to provide senior-level management of the studies including planning,
14 scheduling, organization, and oversight of the field and desktop investigations, to perform
15 review and quality assurance on the study products (e.g. reports, figures, tables, and written
16 analysis), and to provide communications with the Applicant regarding the HAR's
17 progress, results, and implications for the Project.

18 **Q.8. What were Westwood's results from the assessment of endangered species in the**
19 **Project Area?**

20 **A.8.** Westwood initially conducted a literature review from the U.S. Fish and Wildlife
21 Service ("USFWS") and the Ohio Department of Natural Resources to identify the possible
22 endangered, threatened, and special concern species could occur in the area. The review
23 indicated the possible presence of the Indiana bat. Next, in order to analyze the possible

1 presence of the Indiana bat, Westwood analyzed on-site habitat assessments in the Project
2 Area on September 23, 2017, September 15, 2018, and November 19, 2019. This study,
3 which appears in Appendix D of Exhibit I, was conducted in accordance with the USFWS's
4 2017 Range-Wide Indiana Bat Summer Survey Guidelines and based on coordination with
5 the local USFWS field office. The purpose of the study was to determine the quantity and
6 quality of summer roosting and foraging habitat within the Project Area where potential
7 impact may occur, as well as determine the potential effects of the Project on Indiana bat
8 habitat. Twelve areas were evaluated for Indiana bat summer roost and foraging habitat,
9 quantified, and given a ranking of 'good,' 'fair' or 'poor' based on criteria outlined by the
10 USFWS's 2017 Range-Wide Indiana Bat Summer Survey Guidelines.

11 Of the twelve areas, Westwood identified only one site as possessing 'good' habitat quality
12 for the Indiana bat. This determination was based on the area's close proximity to Deer
13 Creek, a stream within the Project Area, 80% canopy coverage with low understory
14 coverage, and solar availability. Three sites were characterized as 'fair' habitat due
15 unfavorable distances from, and lack of corridor access to, water sources. The remainder
16 of the sites were deemed unsuitable for summer roosting or foraging habitat for the Indiana
17 bat due to dense understories, distance to water sources, and lack of suitable tree species.
18 The Project has been sited to avoid forested areas, so alteration or removal of large,
19 continuous tracts of the assessed habitat is not anticipated. As a result, the Project is not
20 anticipated to impact Indiana bats.

21 Three state-endangered avian species' ranges extend within the Project Area, including the
22 upland sandpiper, king rail, and northern harrier. Both upland sandpipers and northern
23 harriers are ground-nesting grassland birds. They can typically be found in native and

1 restored prairies, pastures, and hayfields. Due to predominance of row crop agriculture,
2 suitable breeding habitat for these birds within the Project Area is limited. King rails are
3 secretive, wetland-obligate wading birds that prefer tall, dense vegetation. Based on a
4 wetland delineation conducted by Westwood, minimal potentially suitable habitat for the
5 king rail exists within the Project Area.

6 While the Project Area encompasses the habitat of several federal- and state- listed mussels
7 and state-listed fish, their habitats are confined to stream banks and within streams.
8 Because no impacts are proposed to Glade Run and Deer Creek, which are streams within
9 the Project Area, no impacts to mussels are anticipated.

10 No additional species-specific studies because the Project is sited primarily in agricultural
11 fields which lack suitable habitat for common species and species of concern. Westwood
12 did not identify additional wildlife species in the Project Area during field visits for wetland
13 delineations or Indiana bat habitat assessment.

14 **Q.9. What were Westwood's results regarding existing vegetation in the Project Area?**

15 **A.9.** Westwood conducted a field survey of vegetative communities within 100 feet of
16 potential construction impact areas. The vast majority of land within this 100-foot buffer
17 is currently used for agricultural purposes, but also includes small fragments of woodland,
18 pasture, and fencerow tree lines. Based on current site layout plans, approximately 46.80
19 acres of temporary impacts and 1,168.00 acres of permanent impacts to plant communities
20 are anticipated. Although the potential for changes to the site layout exists, the current
21 layout was designed following the completion of environmental field studies, including
22 plant community mapping, wetland delineations, and bat habitat assessments. Data from
23 the studies was taken into account in order to minimize impacts to natural resources

1 including high quality plant communities and woody vegetation. In areas where tree
2 clearing cannot be avoided, clearing will take place outside of the season in which Indiana
3 bats have the potential to utilize the Project Area. Based on ODNR correspondence, tree
4 clearing can take place between October 1 and March 31 which corresponds with 2012
5 USFWS guidance regarding Indiana bat summer habitat. Tree clearing is estimated to be
6 conducted within 8.4 acres within the 1,214 acres estimated for total disturbance. The tree
7 clearing will be primarily limited to sparse, low quality habitat including windbreaks and
8 fencerows. One area of tree clearing is required for overhead collection line installation
9 spanning Deer Creek. However, the collection line was designed to cross at the location
10 with the narrowest width of woods and was also documented as poor quality Indiana Bat
11 habitat.

12 **Q.10. What were Westwood’s results regarding cultural historic resources in the Project**
13 **Area?**

14 **A.10.** Weller & Associates, Inc. completed a preliminary cultural review of the Project
15 Area and a two-mile buffer, which was submitted to the Application as Appendix E to
16 Exhibit I. The information regarding previously recorded cultural resources within the
17 Project Area and a two-mile buffer was obtained from a review of records maintained by
18 the Ohio State Historic Preservation Office (“OSHPO”) and the State Library of Ohio. No
19 National Register of Historic Places (“NRHP”) listed or eligible properties or districts are
20 recorded in the Project Area or the two-mile buffer. Eighty archaeological sites have been
21 previously recorded in the one-mile study area according to a review of the Ohio
22 Archaeological Inventory. Thirty-seven previously recorded archaeological sites are
23 located within the defined Project Area. After further field survey review, six

1 archaeological sites were identified within or near the boundaries of the Project and
2 determined through the OSHPO consultation to be potentially eligible for the NRHP. In
3 addition, one architectural resource was identified that has been determined as individually
4 eligible for listing in the NRHP. However, as will be further described by Mr. Martino,
5 the Applicant is in the process of finalizing a Memorandum of Understanding (“MOU”)
6 with the OSHPO. Under the MOU, the Applicant will avoid the historical site and six
7 archaeological sites before and during construction and throughout the operation of the
8 Project. In addition, screening will be implemented for the protected architectural resource
9 for the life of the Project. The MOU, once executed, will further ensure that the Project
10 will have minimum impact on the identified significant or potentially significant cultural
11 resources.

12 **Q.11. Have you reviewed the Joint Stipulation filed in this proceeding?**

13 **A.11.** Yes.

14 **Q.12. Do you support Conditions 18 and 21 in the Joint Stipulation?**

15 **A. 12.** Yes. Condition 18 ensures that discovery of a newly listed plant or animal species
16 or suitable habitat for animal species is timely disclosed to Staff, pursuant to Condition 8,
17 and any impacts to them are avoided during construction. Condition 21 ensures that if
18 federal- or state-listed species are encountered during construction, construction is halted
19 immediately in the surrounding area and a course of action is agreed upon by the Applicant,
20 Staff, USFWS, and ODNR.

21 **Q.13. Do you support Condition 19 in the Joint Stipulation?**

22 **A. 13.** Yes. As I explained above, the Applicant has communicated with ODNR and will
23 only remove trees (if necessary) between October 15 and March 31 in areas affecting bat

1 summer habitat. This condition memorializes the Applicant's commitment to avoid
2 impacts to the Indiana bat and northern long-eared bats.

3 **Q.14. Do you support Condition 20 in the Joint Stipulation?**

4 **A.14.** Yes. As I have explained above, due to the agricultural nature of the Project Area,
5 suitable habitat for threatened or endangered species and wildlife in general is minimal.
6 However, Condition 20 will ensure that impacts to sensitive areas such as wetlands,
7 streams, and the locations of threatened and endangered species during construction are
8 minimized. Additionally, if unforeseen environmental impacts do occur as a result of
9 construct, the environmental specialist, who is mutually agreed upon by Ohio Power Siting
10 Board Staff and the Applicant, will be able to halt construction activities for 48 hours. This
11 will allow the Applicant and Board Staff to respond to any reported issues.

12 **Q.15. Do you support Conditions 24 and 25 in the Joint Stipulation?**

13 **A.15.** Yes. As I mentioned earlier, the Project Area lacks suitable habitat for the upland
14 sandpiper and northern harrier. However, to ensure suitable breeding habitat for these birds
15 are not impacted by construction, Conditions 24 and 25 ensure that the Applicant will avoid
16 their preferred nesting habitats during their nesting periods, unless coordination with
17 ODNR allows a different course of action.

18 **Q.16. What is your overall assessment of the potential impacts of the Project on habitat**
19 **for federal- and state-listed threatened and endangered species and other wildlife,**
20 **existing vegetation, and cultural and historic resources?**

21 **A.16.** Overall, the Project will have minimal impacts. The Project is proposed to be
22 primarily built on land that has already been disturbed seasonally/annually for agriculture.
23 The Project's most significant impact will come from the conversion of land used for

1 agriculture to land used for the solar panel arrays. As I have explained above, the Applicant
2 has designed the Project to avoid and minimize impacts to existing vegetation and aquatic
3 and terrestrial wildlife species where possible. Further, there will be no impacts to cultural
4 or historic resources identified in the MOU the Applicant is working on with the OSHPO
5 because the Applicant will avoid those areas.

6 **Q.17. Does this conclude your direct testimony?**

7 **A.17.** Yes, it does.

CERTIFICATE OF SERVICE

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Summary: Testimony Direct Testimony of Tom Braman electronically filed by Ms. Anna Sanyal on behalf of Big Plain Solar, LLC