



BEFORE THE OHIO POWER SITING BOARD

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In the Matter of the :  
Application of Paulding Wind :  
Farm III, LLC for a :  
Certificate of Environmental : Case No.  
Compatibility and Public : 15-1737-EL-BTX  
Need for the Timber Road III :  
Transmission Line. :  
- - -

PROCEEDINGS

before Scott E. Farkas and Daniel E. Fullin,  
Administrative Law Judges, at the Ohio Power Siting  
Board, 180 East Broad Street, Room 11D, Columbus,  
Ohio, called at 10:00 a.m. on Thursday, April 28,  
2016.

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ARMSTRONG & OKEY, INC.  
222 East Town Street, Second Floor  
Columbus, Ohio 43215-4620  
(614) 224-9481 - (800) 223-9481  
Fax - (614) 224-5724  
- - -



**BEFORE THE OHIO POWER SITING BOARD**

<b>In the Matter of the Application of</b>	)	
<b>Paulding Wind Farm III LLC for a</b>	)	
<b>Certificate of Environmental</b>	)	<b>Case No. 15-1737-EL-BTX</b>
<b>Compatibility and Public Need for the</b>	)	
<b>Timber Road III Transmission Line</b>	)	
	)	

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**DIRECT TESTIMONY OF BENJAMIN BRAZELL**

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

**A.1.** My name is Benjamin Brazell. I am Principal and Director of Environmental Services for Environmental Design & Research, Landscape Architecture, Engineering, & Environmental Services, D.P.C ("EDR"). My business address is 217 Montgomery Street, Suite 1000, Syracuse, New York 13202.

**Q.2. What are your duties as Director of Environmental Services?**

**A.2.** As Director of Environmental Services, I am responsible for overseeing EDR's environmental projects, which include those associated with the construction of wind electric generating and transmission facilities.

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

**A.3.** I earned my BS in Natural Resources from North Carolina State University in 2001. After graduating from North Carolina State, I was environmental scientist for EcoScience Corporation from 2001-2004. I joined EDR in February 2004. Since that time, I have worked in the capacity as Ecologist, Project Manager, Senior Project Manager, and Director of the Environmental Division before becoming Principal of Environmental Services in 2014. I have approximately 15 years of experience performing and/or supervising projects involving wetlands delineations, state and federal wetland

permitting, habitat and ecosystem analysis, environmental impact assessments, and preparation of numerous state siting board applications and environmental impact statements. A statement of my educational background and professional qualifications is attached as Exhibit 1 to my direct testimony. EDR has over 25 years of experience with siting, impact analysis, and permitting associated with electric transmission facilities.

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

**A.4.** I am testifying on behalf of the Applicant, Paulding Wind Farm III LLC.

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

**A.5.** The purpose of my testimony is to summarize the studies completed in connection with the application and address any environmental concerns related to the project.

**Q.6. Did you review the December 8, 2015 application for the Timber Road III Transmission line and the February 5, 2016 supplement to the application, including the studies that were completed in connection with the application and the supplement?**

**A.6.** Yes. In addition to reviewing the application, the supplement, and the related studies, EDR supported the preparation of the application and was directly involved with the cultural resources records review, which is attached as Exhibit E to the application, and the ecological investigations including the stream and wetland delineation, which is attached as Exhibit F to the application.

**Q.7. Based upon your knowledge of the proposed Timber Road III Transmission Line and experience in the industry, are there any cultural or socioeconomic concerns associated with the construction and operation of the Timber Road III Transmission Line?**

A.7. No. Land use in the vicinity of both the Primary and Alternate Facilities is predominantly agricultural, accounting for 94% and 95% of the 1,000-foot Study Areas, respectively. Developed open space (rural residences and associated lawns) and scattered woodlots also occur in the area. There are no residential structures within 100 feet of either the Primary or Alternate Facilities, and no sensitive land uses were identified along either route. Temporary impacts to land use during Facility construction could include damage to crops, fences, gates, subsurface drainage systems (tile lines), and/or temporarily block farmers' access to agricultural fields. However, construction impacts will be temporary in nature, followed by site restoration, and confined to the properties of participating landowners. Only very minor changes in land use are anticipated within the easement for the Primary Transmission Route as a result of facility operation.

The purpose of the cultural records review conducted by EDR was to identify known cultural resources in the vicinity of the facility so that impacts to such resources can be minimized. The records review revealed that no NRHP-listed properties, OAI properties, or NHL properties have been recorded within 1,000 feet of the Primary or Alternate Transmission Routes and POI Substation Locations. Two OGS cemeteries and two OHI properties have been recorded within 1,000 of the Primary or Alternate Transmission Routes. There will be no direct impacts to above ground cultural resources, and because construction and operation of the facility will not physically alter any known cultural resources, potential impacts are limited to indirect visual effects. Although the Primary and Alternative Transmission Routes have not been systematically surveyed for archaeological resources, an archaeological survey for those portions of the proposed

Facility where direct ground disturbance is proposed may be conducted, if required, after the final route has been selected and all land rights procured.

**Q.8. Based upon your knowledge of the proposed Timber Road III Transmission Line and experience in the industry, are there any ecological concerns associated with the construction and operation of the Timber Road III Transmission Line?**

**A.8.** No. In support of the application for the Timber Road III Transmission Line, EDR conducted and coordinated ecological investigations within the transmission line study areas – within 1,000 feet of either side of the centerline of the primary transmission route and the alternative transmission route. These investigations included wetland and stream delineations within the ROWs. Nine intermittent streams were identified, including Wildcat Creek and Flatrock Creek, with approximately 2,855 feet of linear stream within the construction corridor, 1650 feet of which are agricultural drainage ditches. Three wetlands were delineated, totaling 3.63 acres within the primary ROW. Although these ecological features have been identified in the primary study area, the Applicant has committed to avoidance measures during construction to minimize impacts to streams and wetlands, including environmental training, limited tree clearing and, where necessary, tree clearing by hand within 25 feet of any stream channel, monitoring, and site restoration. Furthermore, the construction and operation of the transmission line will not require any in-water work; clearing of the forested riparian corridor along Flatrock Creek will be limited to 0.45 acres; and all tree clearing will be completed during the seasonal tree cutting season to avoid possible impacts to the Indiana Bat and Northern Long Eared Bat.

**Q.9. Does the primary transmission route provide any benefit over the alternate route?**

**A.9.** Yes. The primary transmission route provides social and environmental benefits over the alternate route. Notably, the primary transmission route is a shorter more direct route, traversing approximately 8.5 miles of land comprised of 27 separate parcels compared to the alternate route being approximately 11.6 miles long and comprising 41 separate parcels, which equates to less land disturbance. In addition, the primary route is sited on parcel owned by landowners willing to participate in the project, and on parcels that primarily flat, dominated by agricultural use, have existing access through established farm lanes and roads, and have essentially no environmental constraints with the exception of the crossing of Flatrock Creek.

**Q.10.** Does this conclude your direct testimony?

**A.10.** Yes, it does.

### CERTIFICATE OF SERVICE

The Ohio Power Siting Board's e-filing system will electronically serve notice of the filing of this document on the parties referenced in the service list of the docket card who have electronically subscribed to this case. In addition, the undersigned certifies that a courtesy copy of the foregoing document is also being served upon the persons below via electronic mail this 26th day of April 2016.

Chad A. Endsley, Chief Legal Counsel  
Leah F. Curtis  
Amy M. Milam  
Ohio Farm Bureau Federation  
280 North High Street  
P.O. Box 182383  
Columbus, OH 43218-2383  
[cendsley@ofbf.org](mailto:cendsley@ofbf.org)  
[lcurtis@ofbf.org](mailto:lcurtis@ofbf.org)  
[amilam@ofbf.org](mailto:amilam@ofbf.org)

Thomas Lindgren  
Ohio Attorney General's Office  
Public Utilities Section  
180 East Broad Street, 6th Floor  
Columbus OH 43215-3793  
[Thomas.lindgren@puc.state.oh.us](mailto:Thomas.lindgren@puc.state.oh.us)

  
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Michael J. Settineri



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**4/26/2016 5:15:14 PM**

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**Case No(s). 15-1737-EL-BTX**

**Summary: Testimony Direct testimony of Benjamin Brazell electronically filed by Mr. Ryan D. Elliott on behalf of Paulding Wind Farm III LLC**



## Benjamin R. Brazell

Principal

### education

North Carolina State University, Raleigh, North Carolina, *Bachelor of Science*, 2001.

### professional affiliations

*Member*, American Wind Energy Association  
*Member*, New York State Wetlands Forum  
*Member*, Town of Dewitt Parks & Recreation Commission

### employment history

*Principal, Director of Environmental Services* Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C., Syracuse, New York, 2014 to Present.

*Vice President*, EDR Environmental Services, LLC, Syracuse, New York, 2011 to 2014.

*Associate*, EDR Environmental Services, LLC, Syracuse, New York, 2010 to 2011.

*Division Manager*, EDR Environmental Services, LLC, Syracuse, New York, 2009 to Present.

*Project Manager*, Environmental Design & Research, Syracuse, New York, 2004 to 2008.

*Project Scientist*, EcoScience Corporation, Raleigh, North Carolina, 2001 to 2003.

*Dendrology Tutor*, North Carolina State University, 2001.

### presentations and volunteer experience

Local Control vs. State Siting. Does it even Matter? 2016 AWEA Siting Conference, Charleston, SC. March, 2016.

Presenter. Wind Development Non-Wildlife Siting Issues – Sounds, Planes, and Views...Oh my! 2015 AWEA Siting Conference, Austin, TX. March, 2015.

Presenter. Wetlands: Mapped vs. Actual, What You Don't Know About Wetlands Could Hurt Your Project. Environmental Breakfast Club of Central New York, Syracuse, NY. March, 2014.

Presenter. Successful Siting and Community Acceptance. 2013 AWEA Ohio Wind Energy Summit, Columbus, OH. September, 2013.

Poster Presentation. An Overview of the Relationship Between Permit Commitments and Construction Realities. 2013 AWEA Wind Power Conference, Chicago, IL. May, 2013.

Presenter. Typical Impacts & Benefits of Wind Power Development in New York State. 2012 Annual Conference, NY Upstate Chapter ASLA, Binghamton, NY. June, 2012.

Poster Presentation. New York's Article 10 Regulations, Potential Implications on New York State Wind Power Development and a Comparison to the Ohio Siting Process. 2012 AWEA Wind Power Conference, Atlanta, GA. May, 2012.

Presenter. The Relationship Between Permit Commitments and Construction Realities. 2012 NYS Wetlands Forum Annual Conference, Utica, NY. March, 2012.

Presenter. SUNY College of Environmental Science and Forestry (ESF), Renewable Energy Course. March 2010.

Presenter. Herkimer-Oneida County Land Use Training Conference. October 2009.

Presenter. Herkimer-Oneida County Wind Energy Conference. April 2008.

Volunteer. USFWS, Indiana Bat Telemetry Study, Glen Park Hibernaculum, Jefferson County. 2004.

### project experience

**Cassadaga Wind Project** – Managing EDR's responsibilities associated with this 62 turbine, 126 MW project located in the Towns of Cherry Creek, Charlotte, Arkwright, and Stockton, Chautauqua County, New York. This project is being reviewed under Article 10 of the Public Service Law and is anticipated to result in the first Article 10 Application submitted in the State of New York. To date, EDR has prepared the Public Involvement Program Plan, the Preliminary Scoping Statement, and the Stipulations document.



Benjamin R. Brazell  
Principal

## project experience

**Jericho Rise Wind Farm** – Serving as EDR's Principal-in-Charge for the SEQRA review for this 37-turbine, 78 MW project, located in the Towns of Belmont and Chateaugay, Franklin County, New York. EDR prepared a Supplemental EIS, a Final EIS, and multiple support studies including a Visual Impact Assessment, Shadow Flicker Analysis, Cultural Resources Reports (Archaeology and Historic Resources), a Wetland Delineation Report, and a Rare Plant Survey. EDR is also responsible for obtaining wetland/stream permits from the U.S. Army Corps of Engineers and the NYS Department of Environmental Conservation.

**Arkwright Summit Wind Farm** – Serving as EDR's Principal-in-Charge for the SEQRA review for this 36-turbine, 78 MW project, located in the Town of Arkwright, Chautauqua County, New York. EDR prepared a Supplemental EIS, a Final EIS, and multiple support studies including a Visual Impact Assessment and Shadow Flicker Analysis. EDR is also responsible for obtaining wetland/stream permits from the U.S. Army Corps of Engineers and the NYS Department of Environmental Conservation.

**Scioto Ridge Wind Farm** – Managed the preparation of a Certificate Application submitted to the Ohio Power Siting Board for this 176-turbine, 300 MW project located in Hardin and Logan Counties, Ohio. EDR's responsibilities included attending work sessions with OPSB staff, directing other subconsultants, coordinating internal staff resources, and assuring a complete application was prepared/submitted in accordance with the Ohio Administrative Code. Also managed the preparation of a separate Certificate Application for the associated 4.8-mile 345 kilovolt transmission line, which was submitted subsequent to the wind farm application and also accepted as complete following its first submittal.

**Copenhagen Wind Project** – Directing EDR's responsibilities as a third-party consultant to the USFWS. As a result of potential impacts to federally-listed species, the developer is applying for an Incidental Take Permit. EDR is responsible for preparing all NEPA documentation associated with this action.

**Crown City Wind Energy Project** – Directed EDR's SEQRA review for this 44-turbine, 71 MW project, located in the Towns of Cortlandville, Homer, Solon, and Truxton, Cortland County, New York. EDR prepared a Draft EIS, and throughout this process worked closely with the Lead Agency's consultant. In support of the Draft EIS, EDR also prepared a Visual Impact Assessment, Shadow Flicker Analysis, Addendum Cultural Resources Report, and a Socioeconomic Report.

**Buckeye II Wind Power Project** – Managed the preparation of a comprehensive Application for a Certificate of Environmental Compatibility and Public Need submitted to the Ohio Power Siting Board for this 56-turbine, 140 MW project located in Champaign County, Ohio. EDR's responsibilities included conducting initial site reconnaissance to define the project layout, attending various work sessions with OPSB review staff, directing other subconsultants, coordinating internal staff resources, and assuring a complete application was prepared/submitted in accordance with the Ohio Administrative Code.

**Allegany Wind Power Project** – Directed EDR's SEQRA review for this 29-turbine, 72.5 MW project, located in the Town of Allegany, Cattaraugus County, New York. EDR prepared a Draft and a Final EIS, which resulted in successful issuance of SEQRA findings statement and local discretionary approvals in July 2011. Through these efforts, EDR has worked closely with the Lead Agency Special Counsel and consultant throughout the SEQRA review process, coordinated with interested state and federal regulatory agencies, and managed numerous subconsultants. EDR was also responsible for preparation of the SWPPP in accordance with the SPDES General Permit, which was approved by the NYSDEC in September 2011.

**Hardscrabble Wind Power Project (Compliance Monitoring)** – Initially managed EDR's role as Environmental Monitor for the construction and restoration of this 37-turbine project located in the Towns of Fairfield, Norway, and Little Falls, Herkimer County, New York. In addition to preparing an Environmental Compliance Manual and providing compliance training to the project contractors, EDR's responsibilities included overseeing construction activities, monitoring the environmental, agricultural, and archeological conditions on the construction site, reporting on compliance with environmental permits and conditions (including federal, state, and local permits and approvals), conducting bi-weekly SWPPP inspections in accordance with the SPDES General Permit, and serving as a liaison between agency representatives and the project contractor/developer.

**Timber Road II Wind Farm** – Managed the preparation of a comprehensive Application for a Certificate of Environmental Compatibility and Public Need submitted to the Ohio Power Siting Board for this 109-turbine, 150 MW project located in Paulding County, Ohio. EDR's responsibilities included attending various work sessions with OPSB review staff, directing other subconsultants, coordinating internal staff resources, and assuring a complete application was prepared/submitted in accordance with the Ohio Administrative Code. Irrespective of the project's aggressive schedule, EDR played a critical role in meeting the permitting deadline.



## Benjamin R. Brazell

Principal

**Timber Road I Wind Farm** – Managed the preparation of a comprehensive Application for a Certificate of Environmental Compatibility and Public Need submitted to the Ohio Power Siting Board for this 35-turbine, 49 MW project located in Paulding County, Ohio. EDR's responsibilities included attending various work sessions with OPSB review staff, directing other subconsultants, coordinating internal staff resources, and assuring a complete application was prepared/submitted in accordance with the Ohio Administrative Code (the application was accepted as complete following its first submittal).

**Buckeye Wind Power Project** – Managed the preparation of the first ever Application for a Certificate of Environmental Compatibility and Public Need submitted to the Ohio Power Siting Board for a wind power project in Ohio. This 70-turbine, approximately 130 MW project is located in Champaign County, Ohio. EDR's experience in the wind industry proved invaluable when working OPSB staff, interpreting the State of Ohio's new wind law, directing the efforts of local consulting firms, and coordinating with the project sponsor and legal counsel. The Application was accepted as complete after the first submission.

**Howard Wind Power Project** – Led EDR's SEQRA review for this 25-turbine, 62 MW project, located in the Town of Howard, Steuben County, New York. EDR prepared a Draft and Final EIS, and worked closely with the Lead Agency (SCIDA) Special Counsel and consultant throughout the SEQRA review process. EDR also assisted the Town of Howard (SEQRA Involved Agency) in their issuance of a Findings Statement, and obtained a local Special Use Permit. In addition, EDR obtained NYSDEC authorization under Section 401 of the Clean Water Act, and Corps authorization under Section 404 of the Clean Water Act. This project is currently under construction, and EDR's continued involvement includes obtaining authorization for various project modifications, preparing a Draft and Final EIS for a two-turbine project expansion, which is expected to be approved in August 2011, and assisting the project contractor/developer with regulatory compliance during construction.

**Hardscrabble Wind Power Project (Permitting)** – Coordinated EDR's SEQRA review for this 37-turbine, 74 MW project, located in the Towns of Fairfield, Norway, and Little Falls, Herkimer County, New York. EDR prepared a Draft, Supplemental, and Final EIS, and worked closely with the Lead Agency's Special Counsel and consultant through the preparation of SEQRA Findings and local Special Use Permits. EDR also obtained regulatory authorization from the Corps of Engineers and NYSDEC, designed the compensatory wetland mitigation area, obtained permit amendments necessitated by construction-driven project changes, and we are currently responsible for monitoring/reporting on the success of the wetland mitigation in accordance with Corp of Engineers/NYSDEC permit conditions. Construction was completed in early 2011, and restoration is anticipated to conclude in the summer/fall of 2011.

**WindFarm Prattsburgh** - Managed the preparation of a Draft and Final EIS for a 44-turbine, 75 MW project in the Towns of Prattsburgh and Italy, Steuben and Yates Counties, New York. By working closely with the Lead Agency (Steuben County Industrial Development Agency [SCIDA]) and the Lead Agency's Special Counsel and consultant, EDR successfully navigated WindFarm Prattsburgh through the SEQRA review process.

**Jordanville Wind Power Project** – Managed EDR's preparation of a Draft, Supplemental, and Final EIS for a 67-turbine, 136 MW project in the Towns of Warren and Stark, Herkimer County, New York. In support of this project, EDR prepared the local special use permit applications, which initiated the SEQRA review of the subject action, assisted in Lead Agency determination, and prepared three EIS's to guide the SEQRA review. EDR worked closely with the Lead Agency (Town of Warren) Special Counsel and consultant during the SEQRA review process. Subsequently, EDR prepared a fourth EIS, which addressed the reduced 40-turbine, 80 MW project.

**Citizens Airtricity Wind Power Project** - Coordinated EDR's SEQRA review for the 40 MW Citizens Airtricity Wind Power Project located in the Towns of Stockbridge, Eaton, Madison, and Augusta, Madison and Oneida Counties, New York. The Town of Stockbridge Planning Board assumed the role of Lead Agency for this project, which became operational in 2007.

**Green Power Energy Wind Power Project** – Managed the SEQRA review for this 5-turbine (9 MW) project located in Madison County, NY, including the preparation of a Full EAF, presenting the SEQRA document at local town board meetings, and continuous client and agency correspondence and sub-consultant coordination. Conducted on-site ecological surveys and wetland/stream delineations.

**Article VII Application – Maple Ridge 230 kV Transmission Line Project** – Managed the preparation of Volume II (Plan and Profile Drawings) of the EM&CP document for the 10.3-mile-long 230 kilovolt kV transmission line corridor in Lewis County, New York. Conducted on-site ecological surveys and wetland/stream delineations, worked closely with NYS Public Service Commission staff throughout the project review process, and coordinated the efforts of other consultants.

**Maple Ridge Wind Power Project** – Assisted in the preparation of various project permits, including state and federal wetland permitting, for the 330 megawatt (MW) Maple Ridge Wind Power Project on the Tug Hill Plateau in Lewis County, New York. Conducted on-site ecological surveys and wetland/stream delineations.

**Critical Issues Analyses** – Managed the preparation of numerous confidential analyses for potential wind power project in multiple states, which addressed issues ranging from anticipated public acceptance to jurisdictional reviews and threatened and endangered species concerns.