

**BEFORE THE OHIO POWER SITING BOARD**

**In the Matter of the Application of )  
Harrison Power Transmission, LLC )  
for a Certificate of Environmental )  
Compatibility and Public Need for the )  
Harrison Power 138 kV Transmission )  
Line Project )**

**Case No. 17-2084-EL-BTX**

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**DIRECT TESTIMONY OF JILL VOVARIS**

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**Q1: Please state your name, title and business address.**

**A.** My name is Jill Vovaris. I am a Senior Professional with Kleinfelder, Inc. (“Kleinfelder”), 230 Executive Drive, Suite 122, Cranberry Township, PA 16066.

**Q2: What are your duties as a Senior Professional?**

**A.** Kleinfelder is a provider of consulting, engineering, construction and technical services focused on resource management and infrastructure. In my role at Kleinfelder, I provide consulting services for a broad range of energy projects. That work has included supporting project development from early definition phases, through obtaining licensing approvals, construction oversight, operational compliance support, and transactional due diligence.

**Q3: What is your educational and professional background?**

**A.** I have a Bachelor of Science degree in Biology, with a minor in marine ecology from the Pennsylvania State University and a Master of Science degree in Environmental Science and Management from Duquesne University. I have spent three years working for industry and about 15 for consulting firms – PPG Industries as a technical chemist; Mackin Engineering Company, CB&I, APTIM, and now Kleinfelder as an environmental

1 scientist, ecologist, manager of internal engineering and environmental teams, and  
2 operations manager. As part of my experience, I have supported a number of industries  
3 in technical consulting, including transportation, oil & gas, power, utility, mining, and  
4 land development.

5 **Q4: On whose behalf are you testifying?**

6 A. I am testifying on behalf of the Applicant, Harrison Power Transmission, LLC  
7 (“HPTL”).

8 **Q5: What is the purpose of your testimony?**

9 A. The purpose of my testimony is to describe certain studies undertaken, directed,  
10 or reviewed by Kleinfelder on behalf of the Applicant and summarize the results of those  
11 studies.

12 **Q6: What studies were undertaken on behalf of the Applicant to support the**  
13 **application?**

14 A. I am the lead environmental consultant for the Harrison Power Transmission,  
15 LLC Transmission Line (“Transmission Line”), including both Modified Preferred Route  
16 and the Alternate Route.

17 I am familiar with the full range of environmental assessments completed for the all  
18 aspects of the Transmission Line. Written studies and documentation are included in,  
19 and attached to, the Transmission Line application and Notice Regarding Modification of  
20 Project Footprint.

**Q7: Please describe and summarize the study of wetlands, streams and other waters within the project area.**

**A.** Field surveys within the project area were initially conducted by Kleinfelder on October 9 and 10, 2017 and January 4, 2018. Kleinfelder subsequently conducted another delineation in association with the modification of the project footprint on June 11, 12, and 14, 2018. In all delineations, wetland areas and other waters, including streams, were delineated on site using methodology enumerated in the United States Army Corps of Engineers (“USACE”) Wetland Delineation Manual (Environmental Laboratory, 1987) (1987 Manual) and the Eastern Mountains and Piedmont Regional Supplement (USACE, 2012) (Regional Supplement), as well as the Ohio Rapid Assessment Method (“ORAM”) for wetlands. Headwater Streams were evaluated using the Field Evaluation Manual for Ohio’s Primary Headwater Streams (Ohio EPA, 2012) or Ohio EPA’s Headwater Habitat Evaluation Index as well as the USACE Jurisdictional Determination Form Instruction Guidebook (USACE and USEPA, 2007).

Secondary literature sources were reviewed to identify known wetlands and other significant ecological resources and areas with high potential for wetlands in or near the project area. A field inspection was then conducted to identify major plant communities and potential wetlands and other waters. Wetlands and other waters were surveyed using a global positioning system unit as well as aerial photography and topographic figures.

The study area for the Transmission Line contains primarily open fields, pasture, and previously mined areas. There is also a small amount of forested area along both the Modified Preferred and Alternate Routes (0.2 miles and 0.35 miles, respectively).

1 There are 32 wetland areas with the survey corridor along the Modified Preferred Route.  
2 13 of these wetlands will be crossed by the Modified Preferred Route centerline. Eleven  
3 wetland impacts are required for the Modified Preferred Route, but importantly, no  
4 permanent fill within these wetland areas is anticipated.

5 All wetlands along the Modified Preferred Route or associated access roads were  
6 classified as either Category 1 or as Modified Category 2. Category 1 wetlands are of the  
7 lowest quality and generally lack diversity of plant species or available habitat and  
8 having limited potential to perform major wetland functions. Modified Category 2  
9 wetlands are those wetlands which have the potential to be restored to higher quality but  
10 are presently of lower quality or degraded.

11 Fifteen stream channels were also identified during field investigations in the survey area.  
12 The streams in the Transmission Line survey area are generally small in size and are of  
13 low quality. The streams are predominantly headwater streams that have formed as  
14 erosion channels. The total length of streams within the area of investigation was 3,927.1  
15 linear feet.

16 Two streams, one intermittent and one ephemeral, are crossed by the Modified Preferred  
17 Route centerline and will be impacted by construction of the Transmission Line. An  
18 ephemeral stream only conveys runoff from a storm event or snow melt, and precipitation  
19 is the primary source of water for these streams. Ephemeral streams are permanently  
20 located above the water table and most often are dry. Intermittent streams have flow for  
21 extended periods of time seasonally, but gradually reach a state where there are either

1 isolated pools of water that are not hydraulically connected by sub-surface flow, or a dry  
2 channel.

3 The project area was also studied for suitable habitat for state and federal listed species.  
4 Agency correspondence confirmed that there are no ecological sites, geologic features,  
5 animal assemblages, scenic rivers, state wildlife areas, state natural preserves, state or  
6 national parks, state or national forest, national wildlife refuges or other protected natural  
7 areas within the project area. No listed species were observed and most of the project  
8 area habitat is not suitable for listed species.

9 In my opinion, based on my experience and the results of the studies conducted by HPTL,  
10 the ecological impact of the Transmission Line will be minimal, and the Modified  
11 Preferred Route presents fewer impacts than the Alternate Route.

12 **Q8: Please describe and summarize the cultural resources at the Transmission Line.**

13 **A.** A Phase I Archaeological Survey was not required for the Transmission Line  
14 because the proposed construction activities take place largely within a previously mined  
15 or otherwise disturbed area; therefore, there was no probability for finding intact  
16 archaeological resources within the boundaries of the project area.

17 Cultural resource investigations began with a literature search, including an examination  
18 of historic mapping along with files at the Ohio State Cultural Resource GIS Data Base,  
19 including the Ohio Archaeological Inventory (OAI) forms, Ohio Historic Inventory  
20 (OHI) forms, National Register of Historic Places (NRHP) files, and National Historic  
21 Landmarks (NHL) list. There are no formally adopted land and water recreation areas,

1 recreational trails, scenic rivers, scenic routes or byways within five miles of the  
2 Transmission Line.

3 No impacts are anticipated as a result of the Transmission Line on any landmarks, and  
4 therefore no plans to avoid or mitigate any adverse impacts are required. A Section 106  
5 Project Summary Form was submitted to the OHC by APTIM on February 7, 2017  
6 (Appendix G to the Transmission Line Application). In a letter dated March 21, 2017,  
7 the OHC responded and indicated the proposed undertaking will not affect properties  
8 listed on or eligible for the National Register of Historic Places and no further work  
9 would be required. Additional correspondence from OHC dated April 2, 2018, and  
10 attached to my testimony as Attachment A, more specifically addresses the Transmission  
11 Line route and confirms that the Transmission Line will not affect properties listed on or  
12 eligible for the National Register of Historic Places and no further work would be  
13 required.

14 **Q9: Have you reviewed the August 28, 2018 Staff Report of Investigation issued in this**  
15 **proceeding?**

16 **A.** Yes.

17 **Q10: Do you have observations or responses to any of the information or the conditions**  
18 **listed in the Staff Report of Investigation?**

19 **A.** Yes. In general, the Transmission Line is well-sited largely along an existing  
20 transmission line route, taking advantage of open land to minimize the need for clearing,  
21 avoid and minimize wetland and stream impacts, and to avoid impacts to threatened or

1 endangered species or significant cultural resources. In addition, I have some specific  
2 comments on the Staff Report of Investigation.

3 **Q11: What are your specific comments?**

4 **A.** With respect to the bald eagle nest discussed in the Staff Report of Investigation  
5 at page 20 and identified in proposed Condition 17, the condition as proposed by Staff is  
6 more expansive than the relevant USFWS guidelines, which only require a buffer of 660  
7 feet if the nest is within the line of sight of the construction activities, and is not a  
8 prohibition against work within the direct line of sight of a nest generally.<sup>1</sup> The  
9 Applicant is proposing modifications to this Condition 17, as presented in Mr. Williams'  
10 testimony.

11 **Q12: Do you have any other comments?**

12 **A.** Yes, as discussed in Mr. Williams' testimony, two transmission tower locations  
13 have shifted slightly since the Applicant submitted the Notice Regarding Modification of  
14 Project Footprint. The modified tower locations are well within the Transmission Line  
15 study area and are actually closer to the Alternate Route centerline, which was also  
16 thoroughly evaluated as a part of the studies conducted by Kleinfelder in support of the  
17 application and Notice Regarding Modification of Project Footprint. No additional  
18 environmental (or other) impacts will result from the shift in location of the tower  
19 locations. I concur with Mr. Williams' proposed modifications to Condition 3 to require  
20 that shifts in pole locations be submitted to Staff for review and confirmation that final  
21 design will not require a change in certificate conditions.

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<sup>1</sup> <https://www.fws.gov/southdakotafieldoffice/NationalBaldEagleManagementGuidelines.pdf> at Page 12.

1     **Q13: Do you have any further comments?**

2           **A.**     Yes. Mr. Williams' testimony also discusses information in the Staff Report of  
3           Investigation regarding recommended reductions in the height of certain transmission  
4           towers. As a potential mitigation measure, the Applicant may move certain sections of  
5           the Transmission Line underground, while maintaining the same centerline for the  
6           Modified Preferred Route. I have reviewed the entire Modified Preferred Route  
7           (including the shifts described in Mr. Williams' testimony) and underground installation  
8           of sections of the Transmission Line will not result in further impact in the Modified  
9           Preferred Right of Way, as shown in the environmental and cultural resources review  
10          conducted in support of the application and the Notice Regarding Modification of Project  
11          Footprint. I also concur with Mr. Williams' proposed modifications to Condition 24 to  
12          require that underground installation information be submitted to Staff for review and  
13          confirmation that final design will not require a change in certificate conditions or will  
14          result in any additional material adverse impacts.

15    **Q14: Does this conclude your direct testimony?**

16          **A.**     Yes, it does. However, I reserve the right to offer testimony in support of any  
17          stipulation reached in this case.



### **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 14th day of September 2018.

/s/ MacDonald W. Taylor

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# Attachment A



In reply, refer to  
2017-HAS-38234

April 2, 2018

Jill Vovaris  
Kleinfelder, Inc.  
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**RE: Harrison Power 138kV Transmission Line Project, Cadiz and Athens Townships,  
Harrison County, Ohio**

Dear Ms. Vovaris:

This letter is in response to the correspondence received on March 28, 2018 regarding the proposed Harrison Power 138kV Transmission Line Project, Cadiz and Athens Townships, Harrison County, Ohio. We appreciate the opportunity to comment on this project. The comments of the Ohio State Historic Preservation Office (SHPO) are made pursuant to Section 149.53 of the Ohio Revised Code and the Ohio Power Siting Board rules for siting this project (OAC 4906-4). The comments of the Ohio SHPO are also submitted in accordance with the provisions of Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. 306108 [36 CFR 800]).

The proposed project involves a 4.5-mile long transmission line in Cadiz and Athens Townships, which will connect the Harrison Power Plant (Generating Facility) to the Nottingham Substation. The transmission line will include the construction of 30 tower structures along the proposed right of way, which includes the clearing of a width of 100 feet on either side of the centerline and access roads outside of the right of way, which are anticipated to be 16 feet wide. The proposed project area underwent strip-mining activities in the mid-1970's and in the 1990's, strip mining reclamation occurred.

Based on the information provided, we agree no historic properties will be affected by the proposed project. No further coordination with this office is necessary, unless the project changes or unless new or additional historic properties are discovered during implementation of this project. In such a situation, this office should be contacted as per 36 CFR 800.13.

If you have any questions, please contact me at (614) 298-2022, or by e-mail at [khorricks@ohiohistory.org](mailto:khorricks@ohiohistory.org). Thank you for your cooperation.

Sincerely,

A blue ink handwritten signature, likely of Krista Horrocks, is written over a horizontal line.

Krista Horrocks, Project Reviews Manager  
Resource Protection and Review

RPR Serial No: 1073198

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**9/14/2018 4:51:35 PM**

**in**

**Case No(s). 17-2084-EL-BTX**

Summary: Testimony of Jill Vovaris for Applicant Harrison Power Transmission, LLC  
electronically filed by Mr. MacDonald W Taylor on behalf of Harrison Power Transmission, LLC