

**BEFORE  
THE OHIO POWER SITING BOARD**

In the Matter of the Application of Firelands Wind, )  
LLC for a Certificate of Environmental Compatibility )  
and Public Need to Construct a Wind-Powered ) Case No. 18-1607-EL-BGN  
Electric Generation Facility in Huron and Erie )  
Counties, Ohio. )

**DIRECT TESTIMONY OF**

**John Kusnier  
The Mannik & Smith Group, Inc.**

**on behalf of  
Firelands Wind, LLC**

**September 11, 2020**

/s/ Christine M.T. Pirik  
Christine M.T. Pirik (0029759)  
(Counsel of Record)  
Terrence O'Donnell (0074213)  
William Vorys (0093479)  
Jonathan R. Secrest (0075445)  
Madeline Fleisher (0091862)  
DICKINSON WRIGHT PLLC  
150 East Gay Street, Suite 2400  
Columbus, Ohio 43215  
(614) 591-5461

James M. Lynch (PHV 21869-2020)  
Adam N. Tabor (PHV 21870-2020)  
K&L Gates LLP  
925 Fourth Avenue, Ste. 2900  
Seattle, Washington 98104  
(206) 370-7652

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

2       My name is John Kusnier. I currently hold the title of Director of Natural Resources  
3       Business Development at The Mannik & Smith Group, Inc. ("MSG"), whose business  
4       address is 1800 Indian Wood Circle, Maumee, Ohio 43537.

6   **2.     What are your duties in the various positions you hold with The Mannik & Smith  
7       Group?**

8       I currently have two main responsibilities at MSG. One is to pursue and win work in the  
9       area of Natural Resources Consulting for MSG. In this capacity I pursue project leads,  
10      evaluate Requests for Proposals and Qualifications, and assemble technical teams that can  
11      complete the work, and lead and/or assist the project team with project scope development  
12      and the preparation of Statements of Qualifications and Proposals to win the work.

14      My second responsibility at MSG is to serve as a Subject Matter Expert for Natural  
15      Resources Consulting Services. In this capacity I help our environmental scientists and  
16      engineers understand our clients' needs with respect to ecological surveys, surface water  
17      delineation studies, federal and state regulatory requirements with respect to Sections  
18      404/401 of the Clean Water Act ("CWA"), Section 10 of the Rivers and Harbors Act of  
19      1899, the state of Ohio's Isolated Wetlands Law and the Ohio Environmental Protection  
20      Agency's ("Ohio EPA's") Ephemeral Streams permitting requirements. I also advise our  
21      technical project teams regarding how these services are to be provided for projects that  
22      are subject to federal review under the National Environmental Policy Act ("NEPA"). In  
23      addition to working with our technical teams in the above capacity, I also routinely meet  
24      with or take calls from clients to advise them on their regulatory obligations under the  
25      above mentioned federal and state laws and regulations. I also provide technical oversight  
26      and review for MSG's GIS-based watershed studies, as well as MSG's projects involving  
27      wetland and stream design.

29   **3.     Please summarize your educational background and professional experience.**

30      In 1978, I received an Associate's Degree in Applied Science with an emphasis on  
31      Architectural Drawing from Owens Community College, in 1978. In 1985, I received a

1 Bachelor of Science Degree (“BS”) in Arts and Sciences, with an emphasis on  
2 Biology/Ecology from the University of Toledo, Toledo, Ohio. Subsequent to receiving  
3 my BS I have also completed graduate courses in population and community ecology and  
4 statistics from the University of Toledo and Rutgers the State University of New Jersey.  
5

6 While in undergraduate and graduate school at the University of Toledo, I began my career  
7 as an environmental consultant, working with my major professor, Elliot J. Tramer, Ph.D.  
8 Under Dr. Tamer’s leadership, we conducted ecological surveys of streams throughout  
9 Northwest and North Central Ohio for the Ohio Department of Transportation (“ODOT”).  
10 My role at that time was to sample and identify fish species that were in the stream and to  
11 assess water quality. Around 1988, I completed my first wetland delineation studies for  
12 ODOT, again with Dr. Tramer, for the City of Toledo’s Buckeye Basin Greenbelt Parkway.  
13

14 In 1989, I joined MSG as the first full time biologist at the firm. Soon thereafter I began  
15 delineating wetlands and preparing Section 404 CWA permit applications for a variety of  
16 projects, including commercial and residential developments and state and local public  
17 transportation projects. I estimate that I have completed and/or overseen over 100 surface  
18 water delineation studies and dozens of CWA permit applications over my 30 plus years  
19 as an environmental consultant. I have also completed and/or coordinated dozens of  
20 terrestrial and aquatic ecological surveys, most of them for the ODOT. I have also designed  
21 approximately 11 wetland and one stream mitigation project at sites throughout Ohio and  
22 Michigan, and have overseen a number of post construction monitoring projects for  
23 wetland and stream mitigation sites in Ohio. I currently hold ODOT prequalification for  
24 Ecological Surveys, Waterways Permitting, and Stream and Wetland Mitigation Design.  
25 To maintain these prequalifications, one must meet minimal educational requirements,  
26 demonstrate technical proficiency and experience in each area and keep current with  
27 regular training classes and updates that are offered by ODOT’s Office of Environmental  
28 Services. During my tenure at MSG, I kept abreast of changes in wetland delineation  
29 procedures, federal and state regulations that pertain to Waters of the United States  
30 (“WOTUS”), isolated wetlands, ephemeral streams, the CWA permit application process,  
31 and other pertinent federal and state regulations and procedures that pertain to impacts to

1 WOTUS and surface waters of the state. I also gained extensive experience coordinating  
2 and/or authoring numerous Categorical Exclusions for ODOT and Environmental  
3 Assessments for projects sponsored by a number of federal agencies including the United  
4 States (“US”) Department of Commerce National Telecommunications and Information  
5 Administration, the US Department of Agriculture’s Rural Utility Service, The Federal  
6 Transit Administration, and the US Department of Health and Human Services. These  
7 environmental reviews were mandated by the NEPA. Signed into law in 1979, NEPA  
8 requires all federal agencies to evaluate the environmental and related social and economic  
9 effects of their proposed actions, including WOTUS and waters of the state.

10  
11 In 2011, I left MSG to take a position as Project Developer at Davey Resource Group, Inc.  
12 based in Kent, Ohio. This was primarily a business development role, during my tenure at  
13 Davey Resource Group, I worked closely with CWA permitting and stream and wetland  
14 restoration experts to help clients understand their project needs, assemble project teams,  
15 both internally and with other engineering firms and contractors, and prepare proposals and  
16 Statements of Qualifications.

17  
18 After seven years, I left Davey Resource Group, Inc. and returned to MSG as Director of  
19 Natural Resources Business Development. I have detailed my roles and responsibilities for  
20 this position in my previous answer. My resume is attached as Attachment JK-1.

21  
22 **4. On whose behalf are you offering testimony?**

23 I am testifying on behalf of the Applicant, Firelands Wind, LLC (“Applicant” or  
24 “Firelands”), which is seeking to develop the proposed Emerson Creek Wind Farm  
25 (“Project”).

26  
27 **5. Please describe the history of your involvement with the Emerson Creek Wind  
28 Project?**

29 I was asked by the Project team to review the findings of the Surface Water Delineation  
30 Study and Ecological Assessment (“EA”) for the Project and to provide a memorandum  
31 describing the various CWA permits that could be required to construct the Project. I have

1 also reviewed the EA that MSG prepared for the Project, as well as the Joint Stipulation  
2 and Recommendation ("Stipulation"), which was filed in this docket on September 11,  
3 2020, and is being offered in this proceeding as Joint Exhibit 1.

4  
5 **6. What is the purpose of your testimony?**

6 The purpose of my testimony is to summarize the results of MSG's Surface Water  
7 Delineation Study that is contained in Exhibit Z to the Application filed by Firelands on  
8 January 31, 2019, and to summarize the federal and state authorizations that the Applicant  
9 expects to obtain prior to initiating construction in or near surface waters. My testimony,  
10 based on my experience and understanding of the Project, confirms that the Stipulation  
11 includes the necessary environmental commitments that will ensure that Firelands will  
12 address unavoidable impacts to federally regulated WOTUS in full compliance with  
13 Sections 404 and 401 of the CWA. My testimony also supports a finding by the Ohio  
14 Power Siting Board ("Board") that the Stipulation represents the minimum adverse  
15 environmental impact, considering the state of available technology.

16  
17 **7. What is the Ecological Assessment?**

18 An EA is a report that summarizes the ecological resources that are present and have the  
19 potential to be impacted by construction of the Project. MSG developed the EA for the  
20 Project at the request of the Applicant. The EA quantifies the number and kinds of  
21 ecological resources that were found in the study corridors at the time of field studies. It  
22 also presents the maximum quantity of ecological impacts that were anticipated for the  
23 Project at the time the EA was completed.

24  
25 **8. Why is the Ecological Assessment completed?**

26 The Board regulates the siting of wind projects such as the one proposed by Firelands.  
27 Project approval ultimately relies on the issuance of a Certificate of Environmental  
28 Compatibility and Public Need by the Board. Environmental data requirements are a part  
29 of the Application, and include:  
30  
31

- A detailed description of the Project infrastructure, typical construction methods, and operations and maintenance activities;
- An overview of the anticipated regulatory requirements;
- A desktop review and field verification of ecological and environmental resources within the Project area, which considers the following:
  - Land Use/land cover
  - Geologic setting
  - Soils
  - Floodplain
  - Wetlands and streams
  - Wildlife resources
- A summary of federal and state agency coordination;
- A summary of pre-construction wildlife surveys;
- A summary of the field surveys completed to identify and evaluate impacts to wetlands and waterbodies; and
- A summary of potential Project impacts to documented ecological resources

As such, the EA was completed to comply with the environmental data requirements of the certificate application (Ohio Administrative Code [“O.A.C.”] Chapter 4906-4).

**9. What portion of the EA will your testimony specifically address?**

The extent to which wetlands and streams exist within the study area, the extent to which these resources will be impacted, and the anticipated federal and state authorizations that will be required to impact these resources.

**10. Overall, what are the anticipated general impacts to the Project area from the construction and operation of the proposed Project?**

The Project is proposed to be built primarily on land that is already being disturbed seasonally/annually for agriculture. Agricultural land constitutes 87% of the Project area. Many of the impacts will be temporary involving open trenching for the installation of collection lines. Of the 23,024-acre study area, only up to 84.5 acres (0.4% of the total

1 Project area) will be needed for permanent Project infrastructure (turbine foundations and  
2 roads) and will no longer be available for current land use based on current proposed siting.  
3

4 **11. What are the anticipated surface water impacts to the Project area?**

5 Through careful Project design and avoidance measures, the Project will have limited  
6 impacts to WOTUS. When the Surface Water Delineation was completed, MSG identified  
7 and delineated 129 wetlands in the study area, totaling 577 acres. Based on the current  
8 design, it is anticipated that only 0.142 acre of permanent wetland impact will be required  
9 to construct the Project. This impact represents only 0.02% of all wetland acreage within  
10 the Project area. Temporary impacts to wetlands were estimated to be 1.983 acres, or 0.3%  
11 of the total acreage. Permanent wetland impacts will occur as a result of access road  
12 installation, while temporary wetland impacts will occur during the installation of  
13 collection lines for the Project. Permanent wetland impacts will be appropriately mitigated  
14 and wetlands that are temporarily impacted will be restored in place to their pre-existing  
15 grade, in accordance with United States Army Corp of Engineers (“USACE”) and Ohio  
16 EPA permit requirements. With respect to wetland quality, as determined by the Ohio  
17 EPA’s Ohio Rapid Assessment Method (“ORAM” version 5.0, February 1, 2001), and in  
18 accordance with Stipulation Condition 16, there will be no impacts to Category 3, high  
19 quality wetlands, as a result of this Project.  
20

21 Impacts to streams will also be minimal. MSG identified 115 streams within the Project  
22 area. Based on current design, it is anticipated that only twelve (12) streams will be  
23 impacted. Temporary stream impacts will total 981 linear feet and 0.631 acre. Permanent  
24 stream impacts will total 208 linear feet and 0.145 acre. Permanent stream impacts will be  
25 necessary to install culverts for access roads. Temporary stream impacts will be restored  
26 on site, again in accordance with USACE and Ohio EPA permit requirements.  
27

28 Twenty-four (24) “Other Surface Waters”, all constructed ponds, were also identified in  
29 the Project area. Only one pond will be impacted for a total of 0.001 acre.  
30  
31

**12. What federal agencies will be involved in review and/or authorization of the Project?**

The USACE will be the federal agency responsible for ensuring compliance with Section 404 of the CWA, which regulates discharges of fill material into WOTUS.

The Applicant has completed detailed field delineations of WOTUS within the Project area. The design team used this information to avoid and minimize potential impacts to these delineated surface waters within the Project area. The Applicant's goal is to design the Project in such a manner to that the USACE can authorize impacts to WOTUS through the issuance of a Nationwide Permit ("NWP"). NWPs are a body of permits that the USACE has issued for a range of activities that are presumed to have minimal impacts to WOTUS. Authorization under a NWP requires the Applicant to meet all general and regional permit conditions.

**13. What state agencies will be involved in the authorization and/or review of the Project?**

The Board is the lead State of Ohio entity on the siting of major utility projects such as the Emerson Creek Wind Project. Upon approval, the Board will provide a Certificate of Environmental Compatibility and Public Need, which will incorporate the majority of the authorization for construction for the State of Ohio. The USACE will regulate disturbance to Federal WOTUS.

Ohio EPA will be responsible for establishing the quality of all wetlands, streams, and other surface waters in the study area. Ohio EPA will also issue Section 401 Water Quality Certifications for all USACE authorizations.

Ohio EPA will also be responsible for issuing a National Pollution Discharge Elimination System ("NPDES") Construction General Permit for the Project to ensure that appropriate measures are taken during construction to minimize stormwater runoff from the construction site.



1   **14.   Please explain what federal authorizations are anticipated.**

2       Based on the proposed layout, the Applicant will be required to seek authorization for  
3       temporary and permanent impacts to WOTUS under Section 404 of the CWA. Due to the  
4       small size of the impacts and the nature of permanent impacts to streams, it is my opinion  
5       that the USACE may be able to authorize impacts to WOTUS through the issuance of one  
6       or more NWP. Three NWPs may apply to this Project:

- 7           •   NWP 12. Utility Line Activities
- 8           •   NWP 14. Linear Transportation Projects
- 9           •   NWP 51. Land-based Renewable Energy Generation Facilities

10  
11   **15.   Please explain what state authorizations are anticipated.**

12       Before the USACE can issue a Section 404 permit authorization for the impacts to  
13       WOTUS, through NWP, the Applicant will be required to obtain a Section 401 Water  
14       Quality Certification (“WQC”) from Ohio EPA to ensure that the USACE-authorized  
15       activities will not adversely affect surface waters of the State of Ohio.

16  
17       Ohio EPA will also be required to issue an NPDES General Construction Stormwater  
18       Permit for any work that causes a disturbance to more than one acre of ground.

19  
20   **16.   What is your overall assessment of the Project’s ecological impact?**

21       Based on my review of the proposed Project, it is my assessment that Firelands designed  
22       the Project to avoid and minimize impacts to wetlands, streams, and other waterbodies to the  
23       extent practicable. A summary of potential impacts to existing environmental features  
24       within the Project area were presented in Tables 3.1 and 3.2 of Appendix C of the EA. Any  
25       unavoidable impacts to wetlands and streams within the Project area will have to be  
26       permitted by the USACE and Ohio EPA to ensure compliance with Sections 404 and 401  
27       of the CWA. Unavoidable wetland and stream impacts will also have to be mitigated to  
28       replace lost functions and values, as required by the USACE and the Ohio EPA. As a result,  
29       it is my opinion that the Project will have minimal adverse impact on WOTUS.

**17. Have you reviewed the Stipulation that was filed in this docket on September 11, 2020?**

Yes.

**18. Is it your opinion that the conditions laid out in the Stipulation enable the Board to determine the probable environment impact from the facility?**

Based on my experience, training, and understanding of the Project, Yes.

**19. Is it your opinion that the conditions laid out in the Stipulation enable the Board to determine that the facility represents the minimum adverse environmental impact?**

Yes, it is my opinion that compliance with Conditions 5 and 16 of the Stipulation will ensure that the facility represents the minimal adverse environmental impact to WOTUS in the Project area.

**20. Are your opinions and conclusions in your testimony made with a reasonable degree of scientific certainty?**

Yes.

**21. Does this conclude your testimony?**

Yes. However, I reserve the right to update this testimony to respond to any further testimony, reports, and/or evidence submitted 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 these cases. In addition, the undersigned certifies that a copy of the foregoing document is also being served upon the persons below this 11<sup>th</sup> day of September, 2020.

/s/ Christine M.T. Pirik

Christine M.T. Pirik (0029759)

Counsel/Intervenors via email:

[werner.margard@ohioattorneygeneral.gov](mailto:werner.margard@ohioattorneygeneral.gov)  
[brett.kravitz@ohioattorneygeneral.gov](mailto:brett.kravitz@ohioattorneygeneral.gov)  
[katherine.walker@ohioattorneygeneral.gov](mailto:katherine.walker@ohioattorneygeneral.gov)  
[norwichtwp1339@gmail.com](mailto:norwichtwp1339@gmail.com)  
[richardwiles@willard-oh.com](mailto:richardwiles@willard-oh.com)  
[rstrickler@huroncountyohprosecutor.com](mailto:rstrickler@huroncountyohprosecutor.com)  
[jstephens@huroncountyohprosecutor.com](mailto:jstephens@huroncountyohprosecutor.com)  
[ggross@eriecounty.oh.gov](mailto:ggross@eriecounty.oh.gov)  
[heather@hnattys.com](mailto:heather@hnattys.com)  
[jvankley@vankleywalker.com](mailto:jvankley@vankleywalker.com)  
[pjleppla@leplaw.com](mailto:pjleppla@leplaw.com)  
[michael.gerrard@arnoldporter.com](mailto:michael.gerrard@arnoldporter.com)  
[hwa2108@columbia.edu](mailto:hwa2108@columbia.edu)  
[missyeb3@gmail.com](mailto:missyeb3@gmail.com)  
[baanc@aol.com](mailto:baanc@aol.com)  
[r\\_ladd@frontier.com](mailto:r_ladd@frontier.com)

Administrative Law Judges via email:

[jay.agranoff@puco.ohio.gov](mailto:jay.agranoff@puco.ohio.gov)  
[michael.williams@puco.ohio.gov](mailto:michael.williams@puco.ohio.gov)

## **Attachment JK-1**

### Resume

# John Kusnier

## Professional Background

John Kusnier has more than 30 years of experience providing ecological survey, wetlands permitting, stream and wetland mitigation design, project management, and National Environmental Policy Act (NEPA) related consulting services to clients in the private and public sector. Throughout his career, John has coordinated and/or authored many Ohio Department of Transportation (ODOT) and Local Public Agency (LPA) sponsored ecological surveys, waterways permit applications, wetland mitigation projects, and Categorical Exclusions. His experience assisting private clients with their wetland needs is also extensive. He has served as senior environmental project manager and principal author on NEPA-driven Environmental Assessments (EAs) for a variety of federal agencies. He also has extensive wetlands and watershed consulting experience and has led wetland and stream mitigation design projects for sites throughout Ohio and in Michigan. John also has directed several large-scale, GIS-based watershed studies that identify sites that are suitable for wetland and/or stream restoration.

## Specializations

### Wetland/Stream Mitigation and Ecological Restoration Planning/ Design

Extensive experience designing wetland and stream mitigation dating back to 1990, when he designed his first wetland mitigation project for ODOT for the City of Toledo's Buckeye Basin Greenbelt Parkway Project. Since that time, he has designed wetland mitigation projects in Henry, Lucas, Defiance, Montgomery, Hocking and Athens County, Ohio, and Monroe County, Michigan. John has also led projects that require identifying sites for the development of wetlands and stream restoration plans that once completed will increase overall ecosystem services. John is knowledgeable about wetland and stream restoration techniques, invasive species control, construction practices and sequencing, and post-construction performance monitoring. He is also familiar with the design-bid-build and design-build method of project delivery.

## Waterways Permitting

Since 1989, John has maintained extensive knowledge of Sections 404 and 401 of the Clean Water Act, The State of Ohio's Isolated Wetlands Law, Section 10 of the Rivers and Harbors Act, and the State of Michigan's Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). Most recently, he has advised clients with respect to the June 22, 2020 Navigable Waters Protection Rule and the resulting State of Ohio's General Isolated Wetlands and Ephemeral Streams permit process. John helps clients understand what wetland and stream resources exist on their property and the types of federal and/or state permits that will be necessary to impact these resources. He also oversees the preparation of federal and state waterways permit applications, coordinates the permit application review process with federal and state agencies, and assists clients with the development of stream and wetland mitigation plans.

## Specializations

- Wetland/Stream Mitigation and Ecological Restoration Planning/Design
- Waterways Permitting
- NEPA Documentation
- Watershed Studies

## Education:

- BS Biology, University of Toledo, 1985

## Certifications / Affiliations:

- Meets ODOT Prequalifications for Ecological Surveys, Stream and Wetland Mitigation, and Waterway Permits
- Board Member, Cuyahoga River Restoration

## Years of Experience:

With MSG:	2018 – Present
	1989 - 2011
Other Firms:	1978 - 1985

John Kusnier



## National Environmental Policy Act (NEPA)

Extensive experience helping clients navigate the NEPA process. Coordinated and/or authored numerous Categorical Exclusions for ODOT and served as senior environmental project manager and principal author on EAs for projects sponsored by the US Department of Commerce's National Telecommunication and Information Administration, the US Department of Agriculture's Rural Utility Service, the Federal Transit Administration, and the US Department of Health and Human Services.

## Experience

### Waterways Permitting

- **Chagrin River Sediment and Nutrient Reduction Best Management Practices**

John served as the lead technical advisor to advise the project team with regard to Section 404/401 permitting requirements for the restoration/stabilization of 2,000 linear feet of headwater streams in the Chagrin River Watershed. The project included nine different sites. The United States Army Corps of Engineers (USACE) authorized the restoration/stabilization using Nationwide Permit (NWP) 13, *Bank Stabilization* or NWP 27, *Aquatic Habitat Restoration, Enhancement, and Establishment Activities*. For two sites, Director's Authorizations were required from Ohio EPA due to the issuance of NWP 13 and the location of the projects within watersheds that were ineligible for automatic NWP Section 401 Water Quality Certification by Ohio EPA.

- **Steel Plant Expansion, Delta, Ohio (Client: North Star Blue Scope Steel, LLC)**

This project involved the multifaceted expansion of an existing steel plant in Delta, Fulton County, Ohio. John served as the senior advisor, who guided the project team and the client with respect to the development of the Clean Water Act permitting strategy for the project, coordination with officials from the USACE, Ohio EPA, and the US Fish and Wildlife Services, navigation of the Jurisdictional Determination Process, preparation of the Section 404 and 401 and State of Ohio's Isolated Wetlands Permit, coordination with agencies once the application packages were submitted for review and the selection of the appropriate mitigation strategy for the project.

- **HEN/LUC-6/24, Fort to Port, PID 81134, Napoleon to Maumee, Ohio (Client: ODOT)**

- **PAU/DEF-24, Fort to Port, PID 24336, New Haven, Indiana, to Defiance, Ohio (Client: ODOT)**

- **LUC-2-32.35, Ward's Canal, PID 82401**

### Stream and Wetland Restoration Design and Permitting

- **Urban Runoff Capture and Otter Creek Restoration Project, Oregon, Ohio (Client: City of Oregon)**

For this project, John served as the lead wetland and regulatory permitting consultant, providing technical reviews for a 2.1-acre wetland restoration project that was designed to intercept and treat 100% of the urban runoff from a residential community before it enters Otter Creek. The project also included a side channel that was designed to take flood flows from the creek and divert it to a wetland shelf.

- **Chagrin River Sediment and Nutrient Reduction Best Management Practices**

John served as the lead technical advisor for the design of restoration/stabilization plans for 2,000 linear feet of headwater streams in the Chagrin River Watershed. The project included nine different sites. Various measures were installed, including Bendway Weirs, Engineered Rock Riffles and native plantings to stabilize the bank.

- **Cullen Park Bay and Grassy Island Wetland Restoration Designs, Toledo, Ohio (Client: City of Toledo)**

In 2019 and 2020, MSG was awarded two contracts by the Toledo Lucas County Port Authority, funded under the State of Ohio's H2O program, to develop a plan that will restore as much as 250 acres of emergent wetlands in the western basin of Lake Erie, to improve water quality by reducing siltation and increasing nutrient uptake, improve fish and wildlife habitat and provide additional recreational opportunities for visitors. John is assisting the

project team with respect to wetland design, Section 404/401 and Section 10 permitting, and Ohio Coastal Zone Management compliance. He is also assisting the team with public outreach for both of these regionally important projects

### **Wetland and Stream Mitigation Design**

- **HEN/LUC-6/24, Fort to Port, PID 81134, Napoleon to Maumee, Ohio (Client: ODOT)**
- **PAU/DEF-24, Fort to Port, PID 24336, New Haven, Indiana, to Defiance, Ohio (Client: ODOT)**
- **Wetlands Mitigation Plan Design, Buckeye Basin Greenbelt Parkway (LUC-Greenbelt Parkway), PID 3795, Toledo, Ohio**

Project Manager and Lead Scientist responsible for collection of data on existing plant communities and delineation and functional assessment of wetlands (WET 2.0) within the 5-mile project corridor. Worked with USACE, US Fish & Wildlife Service, ODOT, and ODNR in designing mitigation systems according to Clean Water Act and USACE requirements. Mitigation system includes artificial wetlands to handle and treat roadway runoff before discharging the water into storm sewers and the development of a 34-acre wetlands restoration plan using HEP to monitor the success of the project.

### **Ecological Surveys**

- **HEN/LUC-6/24, Fort to Port, PID 81134 Napoleon to Maumee, Ohio (Client: ODOT) and PAU/DEF-24, Fort to Port, PID 24336, New Haven, Indiana, to Defiance, Ohio (Client: ODOT)**  
Ecological Lead. Biologists and Ecologists from MSG assisted with evaluating the viability of improvements along US Route 24 from New Haven, Indiana to Defiance, Ohio. MSG performed an ecological document review of a 500-square mile study area to identify ecological resources that may impact the selection of a preferred alternative for the highway. MSG performed detailed ecological surveys of 23 potential stream crossings, threatened and endangered species surveys of terrestrial and aquatic habitats, wetland delineation studies and functional assessments of 15 different wetlands located within the preferred highway corridor. MSG's staff provided assistance with wetlands permitting and mitigation design to ensure that wetlands impacted by the highway are mitigated in a manner that complied with the US Army Corps of Engineers, Ohio EPA, Indiana Department of Environmental Management, Ohio Department of Natural Resources and US Fish and Wildlife Service requirement.
- **LUC-McCord RR Grade Separation, PID 75107, Lucas County, Ohio (Client: ODOT D2)**  
Ecological & Environmental Lead. Ecological surveys and Categorical Exclusions for the design and construction of the McCord Road Grade Separation (LUC-CR73-1.42), a 20-year project with ODOT to address the safety of a dangerous railroad crossing. MSG addressed the safety and congestion issues with a multi-phase approach. Phase I consisted of a feasibility study, preliminary engineering and preparation of the environmental document for a new grade separation. Phase II of the project consisted of the preparation of detailed construction plans for a four-lane underpass with dual railroad tracks on the bridge above the roadway. An important aspect of this project was the significant amount of community involvement. Because of heavy traffic volumes and the impact on adjacent school operations and businesses, maintenance of traffic was an important issue. To address concerns, in addition to public meetings, the project team held a series of workshops detailing various options for the project. Extensive coordination with Norfolk Southern officials was also essential.
- **Wabash Cannonball Bike Hike Trail, North Leg PID 21219, 21220, Lucas County, Ohio (Client: Lucas County)**
- **Wabash Cannonball Bike Hike Trail, South Leg, PID 23473, Lucas County, Ohio (Client: Lucas County)**

## Categorical Exclusions

- LUC-McCord RR Grade Separation, PID 75107, Lucas County, Ohio (Client: ODOT D2)
- Wabash Cannonball Bike Hike Trail, North Leg PID 21219, 21220
- Wabash Cannonball Bike Hike Trail, South Leg, PID 23473

## Non-ODOT NEPA Work

- **GigEPlus Availability Coalition Fiber Optic Project (Client: Com Net, Inc.)**  
NEPA driven EA for 700-mile fiber optic cable installation in 27 counties in western Ohio, SE Michigan, and eastern Indiana. US Department of Commerce, National Telecommunications and Information Administration was the federal agency overseeing the project. Services provided included Threatened and Endangered Species Surveys, and delineations of regulated streams and wetlands that had the potential to be impacted by the project. Project activities included coordination with the U.S. Army Corps of Engineers, Ohio EPA, US Fish & Wildlife Service, and Ohio Department of Natural Resources to gather input regarding the potential for impacts to ecological, wetland, stream and floodplain resources. Other services provided included coordination with federal, state and local regulatory agencies, Section 106 consultation, and tribal consultation.
- Connecting Appalachian Ohio – Middle Mile Consortium Fiber Optic Project for Horizon Telcom. NEPA driven EA for 1,960-mile fiber optic cable installation in 37 counties in SE Ohio. US Department of Commerce, National Telecommunications and Information Administration was the federal agency overseeing the project.
- EA for Medical Office Building in Bedford Township, Monroe County, Michigan. HUD was the federal agency overseeing the project

## Presentations

- Kusnier, J. "Stream Restoration on Public Lands." Presented at the Ohio Parks and Recreation Association (OPRA) Conference and Trade Show, Sandusky, Ohio, 2015.
- Kusnier, J. "Opportunities and Challenges in Urban Stream Restoration." Presented at the Natural Areas Association Conference, Dayton, Ohio, 2014.
- Kusnier, J. "Hill Ditch/Crosby Lake Restoration & Dam Removal Project." Presented at the Indiana Inland Lakes Management Association Conference, Toledo Botanical Garden, Toledo, Ohio, 2014.
- Kusnier, J. Program Co-Chair at the CLE International, Ohio Surface Water Conference, 2014.
- Kusnier, J. Program Co-Chair at the CLE International, Ohio Wetlands Conference, 2013.
- Kusnier, J. "Streams and Wetlands Permitting: An Update on Changes to Federal and State Regulations." Presented at the Northwest Ohio Zoning and Planning Conference, 2012.
- Kusnier, J. "The Ottawa River: A Story of Pollution and Restoration." Presented at GreenTown Toledo, 2012.
- Kusnier, J. "Wetlands Delineations. NE Regional Supplement." Presented at the CLE International, Ohio Wetlands Conference, 2011.



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

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Summary: Testimony - Direct Testimony of John Kusnier electronically filed by Christine M.T. Pirik on behalf of Firelands Wind, LLC