

February 13, 2023

Ms. Tanowa Troupe
Ohio Power Siting Board, Docketing Division
The Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215-3793

Construction Notice
Harding-Jennings 138 kV Transmission Line
Structure Replacement Project
Case No. 23-0064-EL-BNR

Dear Ms. Troupe:

American Transmission Systems, Incorporated (“ATSI”), a FirstEnergy company, hereby transmits the enclosed Construction Notice (“CN”) application, which has been completed in accordance with the requirements of Ohio Administrative Code Chapters 4906-2 and 4906-6.

In this Project, ATSI is proposing to replace existing temporary wood structures with new steel monopole structures on concrete foundations along the Harding-Jennings 138 kV Q-11, Q-12, Q-13, & Q-14 Transmission Lines as well as to install two new structures on existing centerline, southeast of the Cuyahoga River. On July 24, 2022, a storm damaged and destroyed the lines’ original steel lattice towers. In order to restore power as expeditiously as possible, the damaged/destroyed structures were initially replaced with temporary wood structures. The Project is located in the City of Cleveland, Cuyahoga County, Ohio.

a) Name and address of the applicants:

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

b) Name and location of proposed facilities:

Harding-Jennings 138 kV Transmission Line Structure Replacement Project.
The Project area is located in the City of Cleveland, Cuyahoga County, Ohio.

c) Applicant’s representative:

Robert J. Maggiore
Transmission Specialist II
Transmission and Substation Design
FirstEnergy Service Company
76 South Main Street

Akron, OH 44308-1890

Attorneys for Applicant:

Devan K. Flahive (0097457)
(Counsel of Record)
Christopher K. Riedel (101707)
Porter, Wright, Morris & Arthur LLP
41 South High Street, Suite 2900
Columbus, OH 43215-6194
Tel: (614) 227-1989
dflahive@porterwright.com
criedel@porterwright.com

(Willing to accept service via e-mail)

- d) No information that was provided in the pre-application letter required by OAC Rule 4906-6-03 has been amended or changed in the attached Letter of Notification application.
- e) A notarized statement that the information contained in the application is complete and accurate is attached as Attachment 1.

We have provided a copy of the Construction Notice application by certified mail, with return receipt requested, to each official of the political subdivisions immediately affected by the proposed Project listed in Attachment 2. An exemplar copy of the transmittal letter addressed to the local government representatives of the City of Cleveland and Cuyahoga County, Ohio is enclosed for your file. A copy of the transmittal letter to the local library is also enclosed.

Should staff of the Ohio Power Siting Board desire further information or discussion of this submittal, please contact me at 330-384-2743.

Sincerely,



Robert J. Maggiore
Transmission Specialist II
Transmission and Substation Design
FirstEnergy Service Company

Attachments



05 Harding-Jennings CN Affidavit Maggiore.pdf

DocVerify ID: 2048CCA5-80BD-4583-A156-2F1247243C7A
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E-Signature Summary

E-Signature 1: Robert Maggiore (RJM)

February 13, 2023 09:47:29 -8:00 [C4EE66EF4D54] [148.108.101.160]
rmaggiore@firstenergycorp.com (Principal) (Personally Known)

E-Signature Notary: Jaime E. Hudson (jeh)

February 13, 2023 09:47:29 -8:00 [4FAD0D88374D] [173.90.206.50]
jhudson@firstenergycorp.com
I, Jaime E. Hudson, did witness the participants named above electronically sign this document.



**Harding-Jennings 138 kV Transmission Lines Structure Replacement Project
Case Number 23-0064-EL-BNR**

Date: February 13, 2023

**Attachment 1
Affidavit of Robert J. Maggiore**

2048CCA5-80BD-4583-A156-2F1247243C7A --- 2023/02/13 09:35:44 -8:00 --- Remote Notary



BEFORE THE
OHIO POWER SITING BOARD

In The Matter Of:)
The Application of American Transmission)
Systems, Incorporated for a Certificate of)
Environmental Compatibility and Public)
Need for the Construction for the Harding-)
Jennings 138 kV Transmission Line)
Structure Replacement Project)

Case No. 23-0064-EL-BNR

AFFIDAVIT OF ROBERT J. MAGGIORE

I, Robert J. Maggiore, state the following:

Pursuant to Ohio Administrative Code Rule 4906-2-04(A)(3)(e), I am the authorized representative of the Applicants in this case and I affirm that the Construction Notice Application filed in this matter is true and accurate to the best of my information and belief.

Robert Maggiore

Signed on 2023/02/13 09:47:29 -8:00

Robert J. Maggiore
FirstEnergy Service Company

State of Ohio)
County of Summit) SS:

Sworn and subscribed before me this 13th day of February, 2023.



Pluder

Signed on 2023/02/13 06:47:29 -8:00

Notary Public

Attachment 2
Officials Served Copy of Construction Notice
Harding-Jennings 138 kV Transmission Line
Structure Replacement Project
Case No. 23-0064-EL-BNR

Cuyahoga County

Mr. Chris Ronayne
Cuyahoga County Executive
2079 East Ninth Street
Cleveland, OH 44115

Mr. Pernel Jones Jr., President
Cuyahoga County Council, District 8
2079 East 9th Street, 8th Floor
Cleveland, OH 44115

Ms. Mary Cierebiej, AICP
Executive Director
Cuyahoga County Planning Commission
2079 East 9th Street, Suite 5-300
Cleveland, OH 44115

Mr. David Ray, P.E.P.S.
Design and Construction Administrator/
Cuyahoga County Engineer
2079 East 9th Street
Cleveland, OH 44115

Ms. Kristin Hall, Executive Director
Soil and Water Conservation District
3311 Perkins Avenue, Suite 100
Cleveland, OH 44114

City of Cleveland

Mayor Justin M. Bibb
City of Cleveland
601 Lakeside Ave, Room 227
Cleveland, OH 44114

Ms. Nickole Calhoun
Cleveland City Planning Commission
601 Lakeside Ave, Room 501
Cleveland, OH 44114

Ms. Rebecca Maurer
Cleveland City Council, Ward 12
601 Lakeside Ave, Room 220
Cleveland, OH 44114

Library

Ms. Jamie Declat
Library Branch Manager
Cleveland Public Library
3096 Scranton Road
Cleveland, OH 44113

“An example copy of the transmittal letter to public officials and libraries is included, copies of which were sent to each public official.”

February 13, 2023

Mr. Chris Ronayne
Cuyahoga County Executive
2079 East Ninth Street
Cleveland, OH 44115

Construction Notice
Harding-Jennings 138 kV Transmission Line
Structure Replacement Project
Case No. 23-0064-EL-BNR

Dear Mr. Ronayne,

American Transmission Systems, Incorporated (“ATSI”), a FirstEnergy company, has recently submitted an application to the Ohio Power Siting Board (“OPSB”) for approval of the Harding-Jennings 138 kV Transmission Line Structure Replacement Project (“Project”). In this project, ATSI proposes to replace existing temporary wood structures with new steel monopole structures on concrete foundations along the Harding-Jennings 138 kV Q-11, Q-12, Q-13, & Q-14 Transmission Lines as well as to install two new structures on existing centerline, southeast of the Cuyahoga River. On July 24, 2022, a storm damaged and destroyed the lines’ original steel lattice towers. In order to restore power as expeditiously as possible, the damaged/destroyed structures were initially replaced with temporary wood structures. The Project is located in the City of Cleveland, Cuyahoga County, Ohio.

In accordance with Appendix A of the Ohio Administrative Code (“OAC”) Rule 4906-1-01, this Project falls within the Board’s requirements for a Construction Notice application. Therefore, in compliance with OAC Rule 4906-6-07(A)(1), ATSI herein furnishes a service copy of the Construction Notice application for this Project, which has been assigned Docket No. 23-0064-EL-BNR and contains a more detailed description of the Project for your information and reference.

I will be happy to answer your questions concerning this matter. You can contact me at 330-384-2743.

Sincerely,



Robert J. Maggiore
Transmission Specialist II
Transmission and Substation Design
FirstEnergy Service Company

Attachment

February 13, 2023

Ms. Jamie Declet
Library Branch Manager
Cleveland Public Library
3096 Scranton Road
Cleveland, OH 44113

Construction Notice
Harding-Jennings 138 kV Transmission Line
Structure Replacement Project
Case No. 23-0064-EL-BNR

Dear Ms. Jamie Declet,

Enclosed please find one copy of the Construction Notice (“CN”) Application of American Transmission Systems, Incorporated (“ATSI”), a FirstEnergy company, for the Harding-Jennings 138 kV Transmission Line Structure Replacement Project (“Project”) that has been filed with the Ohio Power Siting Board (“Board”).

We are providing a copy of the CN for placement in the Cleveland City Library in response to the requirements of the Ohio Administrative Code (“OAC”) Rule 4906-6-07(A)(2), which requires us to place a copy of the CN Application in the main public libraries of the political subdivisions in which any portion of the project is to be located. Please make this Construction Notice application available for public reference in the South Branch of the Cleveland City Library.

As described in the CN, the Project proposes to replace existing temporary wood structures with new steel monopole structures on concrete foundations along the Harding-Jennings 138 kV Q-11, Q-12, Q-13, & Q-14 Transmission Lines as well as to install two new structures on existing centerline, southeast of the Cuyahoga River. On July 24, 2022, a storm damaged and destroyed the lines’ original steel lattice towers. In order to restore power as expeditiously as possible, the damaged/destroyed structures were initially replaced with temporary wood structures. The Project is located in the City of Cleveland, Cuyahoga County, Ohio.

Please feel free to call me with any question you have on making the CN available to your patrons. My phone number is 330-384-2743.

Sincerely,



Robert J. Maggiore
Transmission Specialist II
Transmission and Substation Design
FirstEnergy Service Company

Enclosure

**AMERICAN TRANSMISSION SYSTEMS,
INCORPORATED
A FIRSTENERGY COMPANY**

CONSTRUCTION NOTICE

**HARDING-JENNINGS 138 kV TRANSMISSION LINE
STRUCTURE REPLACEMENT**

OPSB CASE NO.: 23-0064-EL-BNR

February 13, 2023

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

**CONSTRUCTION NOTICE
HARDING-JENNINGS 138 kV TRANSMISSION LINE
STRUCTURE REPLACEMENT PROJECT**

The following information is being provided in accordance with the procedures in the Ohio Administrative Code (OAC) Chapter 4906-6 for the application and review of Accelerated Certificate Applications. Based upon the requirements found in Appendix A to OAC Rule 4906-1-01, this Project qualifies for submittal to the Ohio Power Siting Board (“Board”) as a Construction Notice application.

4906-6-05: ACCELERATED APPLICATION REQUIREMENTS

4906-6-05 (B)(1): Name and Reference Number

Harding-Jennings 138 kV Q-11, Q-12, Q-13, Q-14 Transmission Lines Structure Replacement Project (“Project”).

(Reference Number: 4037, 4046, 4055, 4062)

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

In this Project, American Transmission Systems, Incorporated (“ATSI”), a FirstEnergy company, is proposing to replace existing temporary wood structures with new steel monopole structures on concrete foundations along the Harding-Jennings 138 kV Q-11, Q-12, Q-13, & Q-14 Transmission Lines in the City of Cleveland, Cuyahoga County, Ohio. On July 24, 2022, several structures on the Harding-Jennings 138 kV Q-11, Q-12, Q-13, & Q-14 Transmission Lines were either damaged or destroyed in a storm, which caused the four transmission lines to fail and resulted in line outage. The structures that failed were all located near an active industrial steel mill with significant heavy machinery traffic. In an effort to restore service as quickly as possible and to allow the steel mill to safely resume operations, temporary wood structures were installed to energize the transmission lines while ATSI removed the downed transmission equipment.

As part of the evaluation for permanent structure replacement, ATSI performed an engineering and access evaluation, which included assessment of the current river and rail crossings in the Project area. From this evaluation, ATSI determined that optimal line design required relocating three structures along the existing centerline, adding two new structures, and replacing two structures in their existing locations. As shown on Exhibit 3:

- Structure #2353 will be relocated approximately 200' southeast of its current location.
- Structures #2354 and #2354A will be installed in the same location.
- Structures #2355 and #2355A (to be renumbered as 2355A and 2355C, respectively) will be relocated approximately 465' southeast (to the southeast side of the Cuyahoga River) for the purpose of improving access to these structures.
- Structures #2355B and #2355D will be added, with each transmission line attached to a separate steel monopoles to add structural support at the spanning of the Cuyahoga River.

The general location of the Project is shown in Exhibit 1, a partial copy of the United States Geologic Survey, Cuyahoga County OH, Quad Map. Exhibit 2 provides a partial copy of ESRI aerial imagery.

4906-6-05 (B)(1): Letter of Notification Requirement

The Project meets the requirements for a Construction Notice because the Project is within the types of projects defined by Item (2)(a) of the Application Requirement Matrix for Electric Power Transmission Lines, Appendix A of OAC Rule 4906-1-01. This item states:

(2) Adding new circuits on existing structures designed for multiple circuit use, replacing conductors on existing structures with larger or bundled conductors, adding structures to an existing line or replacing structures with a different type of structure, for a distance of:

(a) two miles or less

The proposed Project is within the requirements of Item (2)(a) as it involves adding structures to an existing line and replacing structures with a different type of structure for a distance of less than two miles.

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

On July 24, 2022, a heavy wind and rainstorm caused two double-circuit steel lattice structures (#2354 and #2354A) to fail. The failure of those structures caused the Harding-Jennings 138 kV Q-11, Q-12, Q-13, & Q-14 Transmission Lines to trip and lock out. Structure 2353 was also damaged to such a degree that it required demolition; Structure 2355 experienced significant arm damage. Temporary wood structures were erected to expeditiously restore service. To ensure a resilient and robust solution resulting in the long-term reliability of the structures and to provide proper clearances that will allow the property to continue with its original use, the aforementioned Project was developed.

4906-6-05 (B)(3): Location of the Project Relative to Existing or Proposed Lines

This Project was not included in the 2022 Long-Term Forecast Report because it only became necessary for restoration after the July 2022 storm. The ATSI Transmission Network Map, included as part of the confidential portion of the FirstEnergy Corp. 2022 Long-Term Forecast Report, shows ATSI's 345 kV and 138 kV transmission lines and transmission substations including the Harding-Jennings 138 kV Q-11, Q-12, Q-13, Q-14 Transmission Lines. This map was submitted to the Public Utilities Commission of Ohio

(“PUCO”) in Case No. 22-0504-EL-FOR under Rule 4901:5-5:04 (C)(2)(b) of the Ohio Administrative Code. This map is incorporated by reference only.

4906-6-05 (B)(4): Alternatives Considered

No other alternatives were considered because this Project proposes the configuration best-suited to permanently restore the Harding-Jennings 138 kV Q-11, Q-12, Q-13, & Q-14 Transmission Lines that were damaged in the storm.

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

ATSI’s manager of External Affairs will advise local officials of features the and the status of the proposed Project, as necessary. ATSI will also maintain a copy of this Construction Notice on FirstEnergy’s website: https://www.firstenergycorp.com/about/transmission_projects/ohio.html. Letters will be sent to affected property owners at least 7 days before construction begins to inform them of the Project’s start and of a proposed timeframe for construction and restoration activities. Finally, during all phases of this Project, ATSI will maintain the transmission projects hotline at 1-888-311-4737 or via email at: transmissionprojects@firstenergycorp.com, where any member of the public may ask questions or submit comments about the Project.

4906-6-05 (B)(6): Construction Schedule

Construction on this Project is expected to begin as early as March 27, 2023, and be completed by June 30, 2023.

4906-6-05 (B)(7): Area Map

The general location of the Project is shown in Exhibit 1, a partial copy of the United States Geologic Survey, Cuyahoga County, OH, Quad Map. Exhibit 2 is a copy of ESRI

aerial imagery of the Project area. The general layout of the Project is shown in Exhibit 3.

4906-6-05 (B)(8): Property Owner List

The Project is located wholly within ATSI's existing right-of-way. No new easements will be required for the completion of this Project. Table 1 contains a list of properties impacted by the Project.

Table 1: Property Owner List

Parcel Number	Easement Status
13107001 13106002 00838001	Existing
13104001	Existing

4906-6-05 (B)(9): TECHNICAL FEATURES OF THE PROJECT

4906-6-05 (B)(9)(a): Operating Characteristics

The transmission line construction will have the following characteristics:

Voltage:	138 kV
Conductors:	1590 kcmil 45/7 ACSR
Static Wire:	7#8 Alumoweld
Insulators:	Porcelain (Deadends) & Polymer (Jumper Post)
ROW Width:	Variable – Ranges from 150' near Structure 2353 to 230' between Structures 2354/2354A and 2355/2355A
Structure Types:	Exhibit 4: Double Circuit Dead Structure. 3 structures are needed. Exhibit 5: Single Circuit Deadend Structure. 4 structures are needed.

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

The closest occupied residence or institution is approximately 450 feet from the proposed transmission line centerline and therefore no Electric and Magnetic Field (“EMF”) calculations are required by this subsection.

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

The estimated capital cost for the proposed project is approximately \$11,920,000.

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

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

The Project is located in the City of Cleveland, Cuyahoga County Ohio. The main land use around the Project is industrial. The Project is located within existing right-of-way, so no changes or impacts to the current land use are anticipated.

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

Agricultural land does not exist within the Project’s disturbance area.

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

As part of the investigation for this Construction Notice, ATSI performed a desktop review of the Ohio Historic Preservation Office (“OHPO”) online database on January 5, 2023, to identify the existence of any significant archeological or cultural resource sites within 0.5 mile of the Project Area. A map of the results of the search is shown in Exhibit 6.

The OHPO database includes all Ohio listings on the National Register of Historic Places (“NRHP”), including districts, sites, building, structures, and objects that are significant in American history, architecture, archeology, engineering, and culture. The results of

the search indicate that no listed NRHP sites and no NRHP Districts were identified within the Project Area.

The OHPO database also includes listing of the Ohio Archaeological Inventory (“OAI”), the Ohio Historic Inventory (“OHI”), previous cultural resource surveys, and the Ohio Genealogical Society (“OGS”) cemetery inventory. One (1) OAI resource has been previously inventoried within 0.5 miles of the Project Area and is shown in Table 2 below. Six (6) OHI structures are located within 0.5 miles of the Project Area and are shown in Table 3 below. Two (2) previous cultural resource surveys were conducted within 0.5 miles of the Project Area and are identified in Table 4. No OAI, OHI or cemetery sites are in the disturbance area of the Project.

Table 2. List of OAI Listed Archeological Resources

OAI Number	Site Name	Affiliation	County	Quad Name
CU0004	(Whittlesey) Fort # 1	Prehistoric	Cuyahoga	Cleveland

Table 3. List of OHI Structural Resources

OHI Number	Present Name	Historic Use	County	Municipality
CUY0774002	Angela Pozzo House	Single Dwelling	Cuyahoga	Cleveland
CUY0476502	Norfolk Southern RR Interlock	Rail Related	Cuyahoga	Cleveland
CUY0773802	Margaret Montgomery House	Single Dwelling	Cuyahoga	Cleveland
CUY0773902	Jeff Ballard House	Single Dwelling	Cuyahoga	Cleveland
CUY0773702	Clifford Ramey House	Single Dwelling	Cuyahoga	Cleveland

Table 4. List of Previous Cultural & Historic Resource Survey

Year	Name	County
2007	Phase I Cultural Resources Survey for the CUY-	Cuyahoga

	Towpath Trail (PID 80997) Project in the Village of Cuyahoga Heights and the City of Cleveland, Cuyahoga County, Ohio	
1996	A Phase I Literature Review and Reconnaissance Survey for the Proposed Bridge Construction in the Ltv Steel-Cleveland Works Facility in the City of Cleveland, Newburgh Township, Cuyahoga County, Ohio	Cuyahoga

The Project scope includes replacing the previously damaged steel lattice towers with new steel monopole structures. The steel monopole tower design is visually more compact than the original steel lattice tower structures. Therefore, the proposed Project is not expected to have an adverse visual or direct effect on any of the resources identified in the 0.5-mile area of potential effect.

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

Table 5 lists the government agency requirements associated with this Project.

Table 5. List of Government Agency Requirements

Agency	Permit Requirement
U.S. Army Corps of Engineers	Section 10 of Rivers and Harbors Act

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

On January 9, 2023, a request was sent to the Ohio Department of Natural Resources (“ODNR”) Office of Real Estate to conduct an Environmental Review. As part of that Environmental Review, the ODNR Office of Real Estate conducted a search of the ODNR Division of Wildlife’s Natural Heritage Database in order to research the presence of any endangered, threatened, or rare species within one (1) mile of the Project Area. The ODNR’s Office of Real Estate’s response, dated February 7, 2022, indicates that there are no records of state or federally listed plants or animals within one mile of this Project. The response also noted that this Project is within the range of twelve state

and/or federally listed endangered species. A copy of ODNr's Office of Real Estate's response is included as Exhibit 7.

In addition, TRC, as the Project consultant, submitted a request to the US Fish and Wildlife Service ("USFWS") for an Ecological Review to research the presence of any endangered, threatened, or rare species within one (1) mile of the Project Area. A copy of USFWS's Ecological Review response, dated January 12, 2023, is included as Exhibit 8. The response indicated that the Project is within the range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened and state-endangered northern long-eared bat (*Myotis septentrionalis*). A list of all endangered, threatened, and rare species, as identified by ODNr and USFWS, within the range of the Project is provided in Table 6.

Table 6. List of Endangered, Threatened, and Rare Species.

Common Name	Scientific Name	Federal Listed Status	State Listed Status	Affected Habitat
Indiana bat	<i>Myotis sodalis</i>	Endangered	Endangered	Trees & Forest
Northern long-eared bat	<i>Myotis septentrionalis</i>	Threatened*	Endangered	Trees & Forest
Little brown bat	<i>Myotis lucifugus</i>	N/A	Endangered	Trees & Forest
Tricolored bat	<i>Perimyotis subflavus</i>	N/A	Endangered	Trees & Forest
Lake sturgeon	<i>Acipenser fulvescens</i>	N/A	Endangered	Rivers & Lakes
Smooth greensnake	<i>Opheodrys vernalis</i>	N/A	Endangered	Prairie, Marshes, & Ditches
American bittern	<i>Botaurus lentiginosus</i>	N/A	Endangered	Wetlands

Trumpeter swan	<i>Cygnus buccinator</i>),	N/A	Threatened	Marshes & Lakes
Blanding's turtle	<i>Emydoidea blaningii</i>	N/A	Threatened	Marshes, Streams, & Ponds
Spotted Turtle	<i>Clemmys guttata</i>	N/A	Threatened	Marshes, Ponds, Fens & Bogs
Channel darter	<i>Percina copelandi</i>	N/A	Threatened	Streams
Bigmouth shiner	<i>Notropis dorsalis</i>	N/A	Threatened	Streams

* The Northern Long-eared bat is scheduled to be uplisted to endangered on March 31, 2023

Minor tree clearing is anticipated for this proposed Project and will take place between the recommended seasonal clearing timeframe of October 1 through March 31 to avoid potential impacts to listed bat species as per the recommendation of the ODNR and USFWS. Therefore, no impacts to these species are anticipated.

There are no wetlands in the Project area and no in-water work is anticipated for this Project. Therefore, no impacts are anticipated to the listed reptiles, fish, or birds.

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

The USFWS comments did not identify any areas of ecological concern. ATSI hired AECOM to conduct a wetland and stream assessment of the Project area. On September 2019, AECOM investigated the Project area for an insulator project, which included the areas where structures are to be placed as well as construction access areas for this Project. No wetlands and one stream were identified as a result of this investigation. The stream is a segment of the Cuyahoga River. The proposed structures will be located above the ordinary high water mark of the Cuyahoga River which is a waterway subject to regulations pursuant to Section 10 of the Rivers and Harbors Act. Therefore, a Section

10 permit will be sought from the US Army Corps of Engineers (USACE) for working above the river's surface.

According to FEMA's National Flood Hazard Layer (NFHL) viewer, the Cuyahoga River is labeled as a Regulatory Floodway. No construction activity will occur within the Cuyahoga River. Therefore, no impacts to the regulated floodway are anticipated.

4906-6-05(B)(10)(g): Other Information

Construction and operation of the proposed Project will be in accordance with the requirements specified in the latest revision of the National Electrical Safety Code as adopted by the PUCO and will meet all applicable safety standards established by the Occupational Safety and Health Administration.

No other or unusual conditions are expected that will result in significant environmental, social, health or safety impacts.

4906-6-07: Documentation of Letter of Notification Transmittal and Availability for Public Review

This Construction Notice is being sent concurrently with docketing to the following officials in the City of Cleveland and Cuyahoga County, Ohio. A copy will also be provided to the library for public review/reference.

Cuyahoga County

Mr. Chris Ronayne
Cuyahoga County Executive
2079 East Ninth Street
Cleveland, OH 44115

Mr. Pernel Jones Jr., President
Cuyahoga County Council,
District 8
2079 East 9th Street, 8th Floor
Cleveland, OH 44115

Ms. Mary Cierebiej, AICP
Executive Director
Cuyahoga County Planning
Commission
2079 East 9th Street, Suite 5-300
Cleveland, OH 44115
Mr. David Ray, P.E.P.S.
Design and Construction
Administrator/Cuyahoga County
Engineer
2079 East 9th Street
Cleveland, OH 44115

Ms. Kristin Hall, Executive Director
Soil and Water Conservation
District
3311 Perkins Avenue, Suite 100
Cleveland, OH 44114

City of Cleveland

Mayor Justin M. Bibb
City of Cleveland
601 Lakeside Ave, Room 227
Cleveland, OH 44114

Ms. Nickole Calhoun
Cleveland City Planning
Commission
601 Lakeside Ave, Room 501
Cleveland, OH 44114

Ms. Rebecca Maurer
Cleveland City Council, Ward 12
601 Lakeside Ave, Room 220
Cleveland, OH 44114

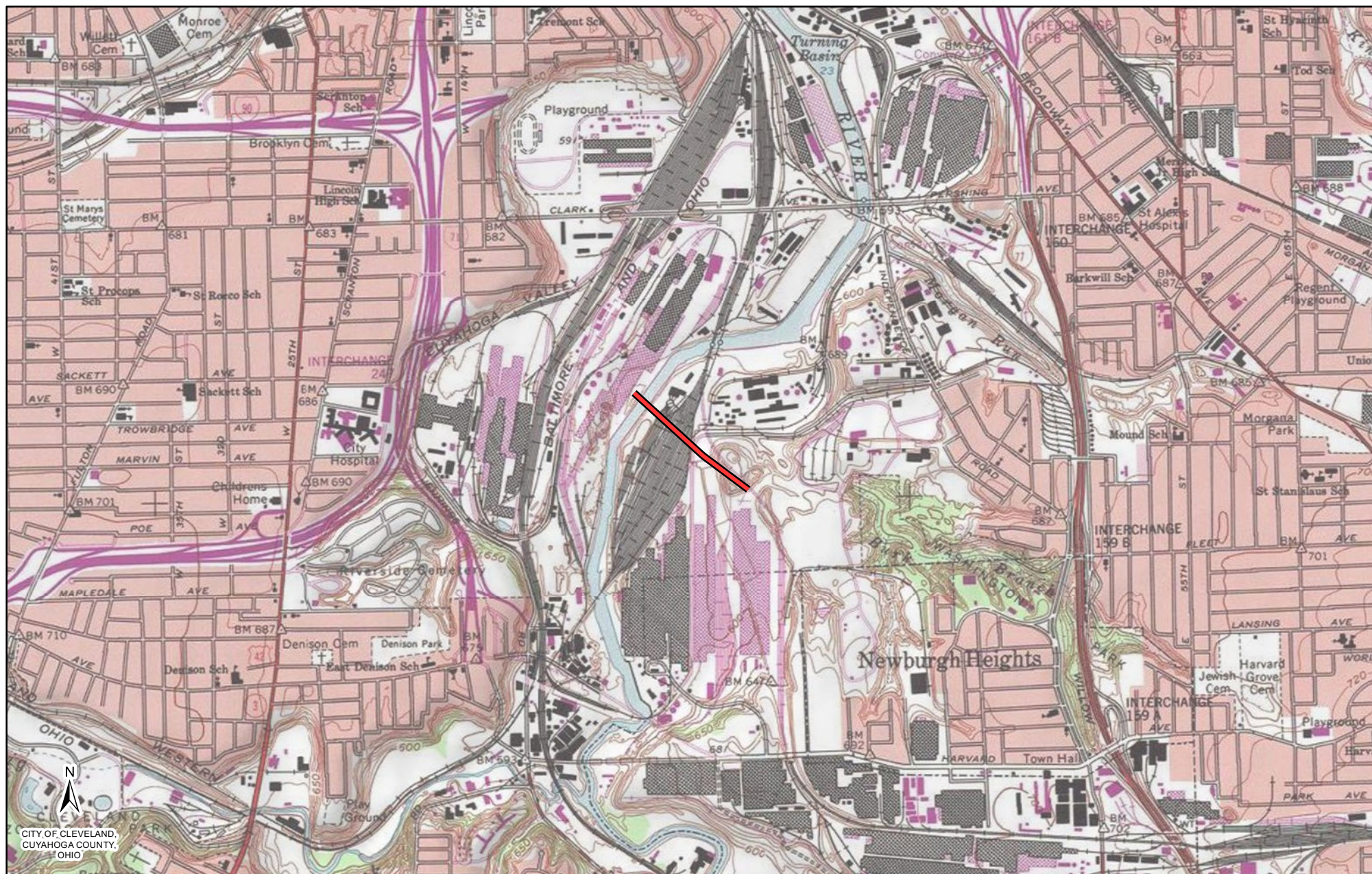
Library

Ms. Jamie Decllet
Library Branch Manager
Cleveland Public Library
3096 Scranton Road
Cleveland, OH 44113

Per OAC Rule 4906-6-07(B), copies of notice letters to local government officials and to the library have been included with this application as proof of compliance with requirements of OAC Rules 4906-6-07(A)(1) and 4906-6-07(A)(2).

Information is posted at www.firstenergycorp.com/about/transmission_project/ohio.html on how to request an electronic or paper copy of this Construction Notice application.

The link to this website is being provided in accordance with OAC Rule 4906-6-07(B), which requires ATSI to provide the Board with proof of compliance for OAC Rule 4906-6-07(A)(3).



CITY OF CLEVELAND,
CUYAHOGA COUNTY,
OHIO

LEGEND:
— Project Location

0 1,000 2,000 4,000
Feet

Reference:
USGS Topographical Overlay

Coordinate System:
NAD 1983 StatePlane Ohio North FIPS 3401 Feet
Projection: Lambert Conformal Conic; Units: Foot US



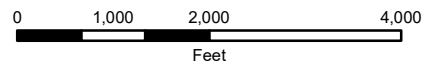
EXHIBIT 1

ATSI
American Transmission Systems, Inc.
a subsidiary of FirstEnergy Corp.

Harding-Jennings 138kV Transmission Line
Structure Replacement Project



LEGEND:
 Project Location
 Roads



Reference:
 ESRI Aerial Imagery, ODOT

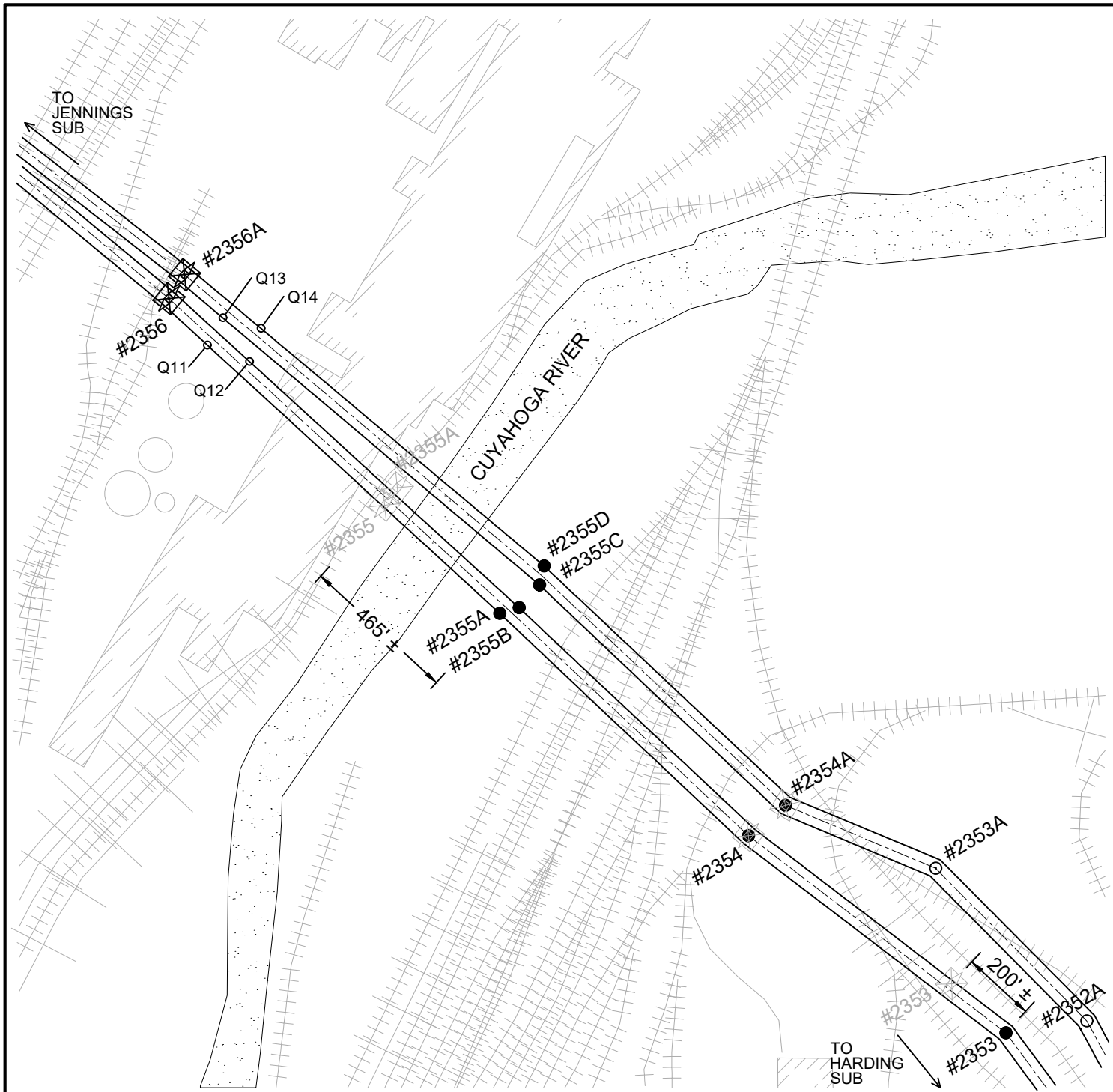
Coordinate System:
 NAD 1983 StatePlane Ohio North FIPS 3401 Feet
 Projection: Lambert Conformal Conic; Units: Foot US



EXHIBIT 2

ATSI
 American Transmission Systems, Inc.
 a subsidiary of FirstEnergy Corp.

**Harding-Jennings 138kV Transmission Line
 Structure Replacement Project**

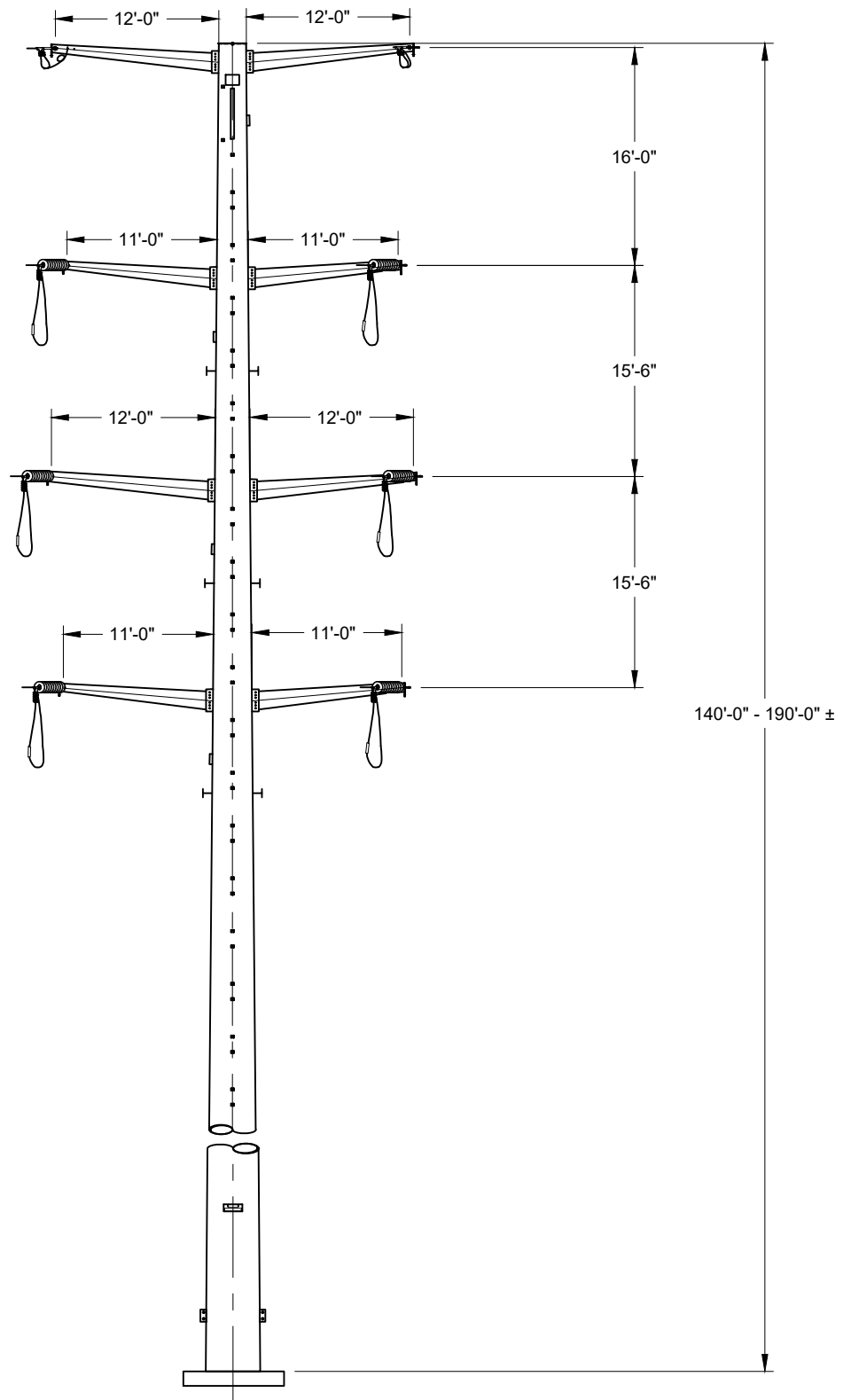


CUYAHOGA COUNTY, OH

**NOT TO SCALE

LEGEND	
---	- TRANSMISSION CENTERLINE
○	- EXISTING STEEL POLE TO REMAIN
●	- NEW STEEL POLE STRUCTURE
⊠	- EXISTING LATTICE TOWER TO REMAIN
⊠	- EXISTING LATTICE TOWER TO BE REMOVED

	HARDING-JENNINGS 138kV Q11 - Q14 LINES PERMANENT RESTORATION PROJECT
	GENERAL LAYOUT
	EXHIBIT 3



ATSI[®]

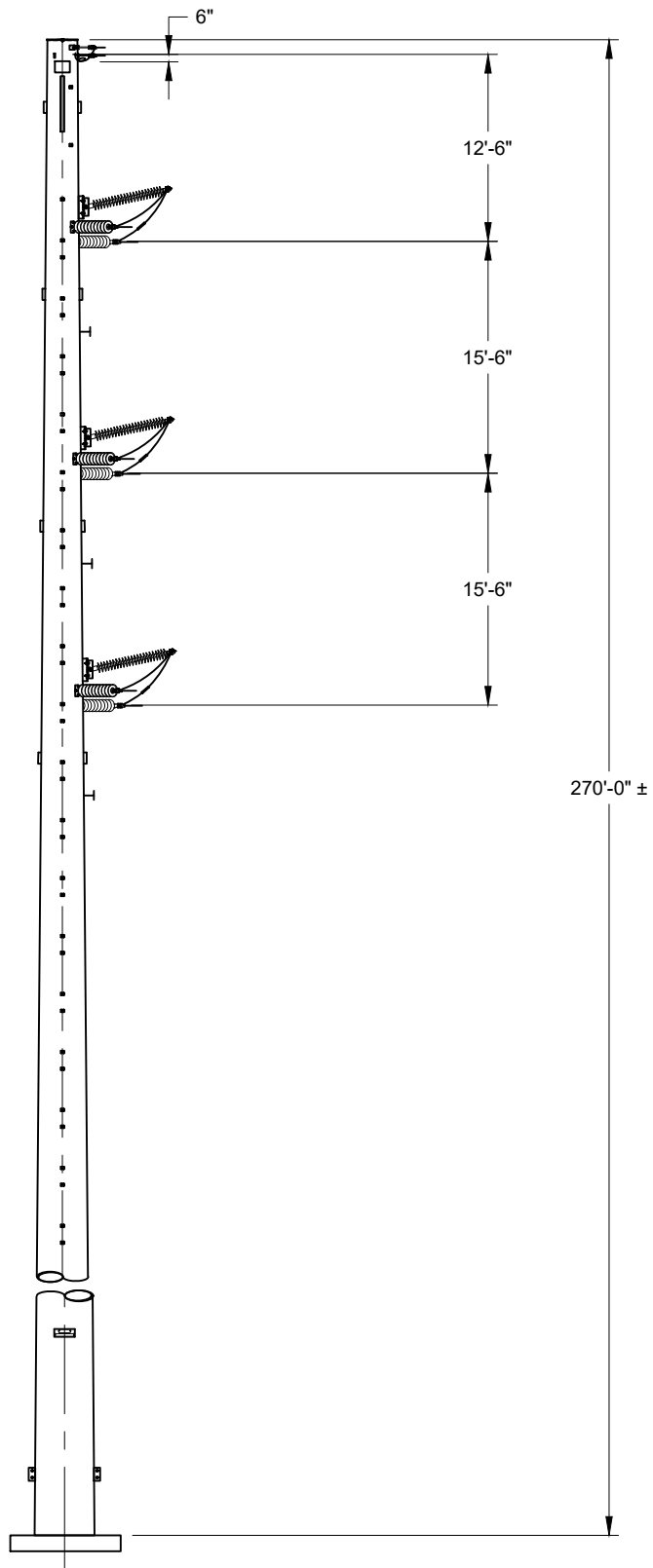
American Transmission Systems, Inc.
a subsidiary of FirstEnergy Corp.

HARDING-JENNINGS Q11 - Q14 LINES
PERMANENT RESTORATION PROJECT

DOUBLE CIRCUIT DEADEND STRUCTURES
2353, 2354, & 2354A

**NOT TO SCALE

EXHIBIT 4



ATSI[®]

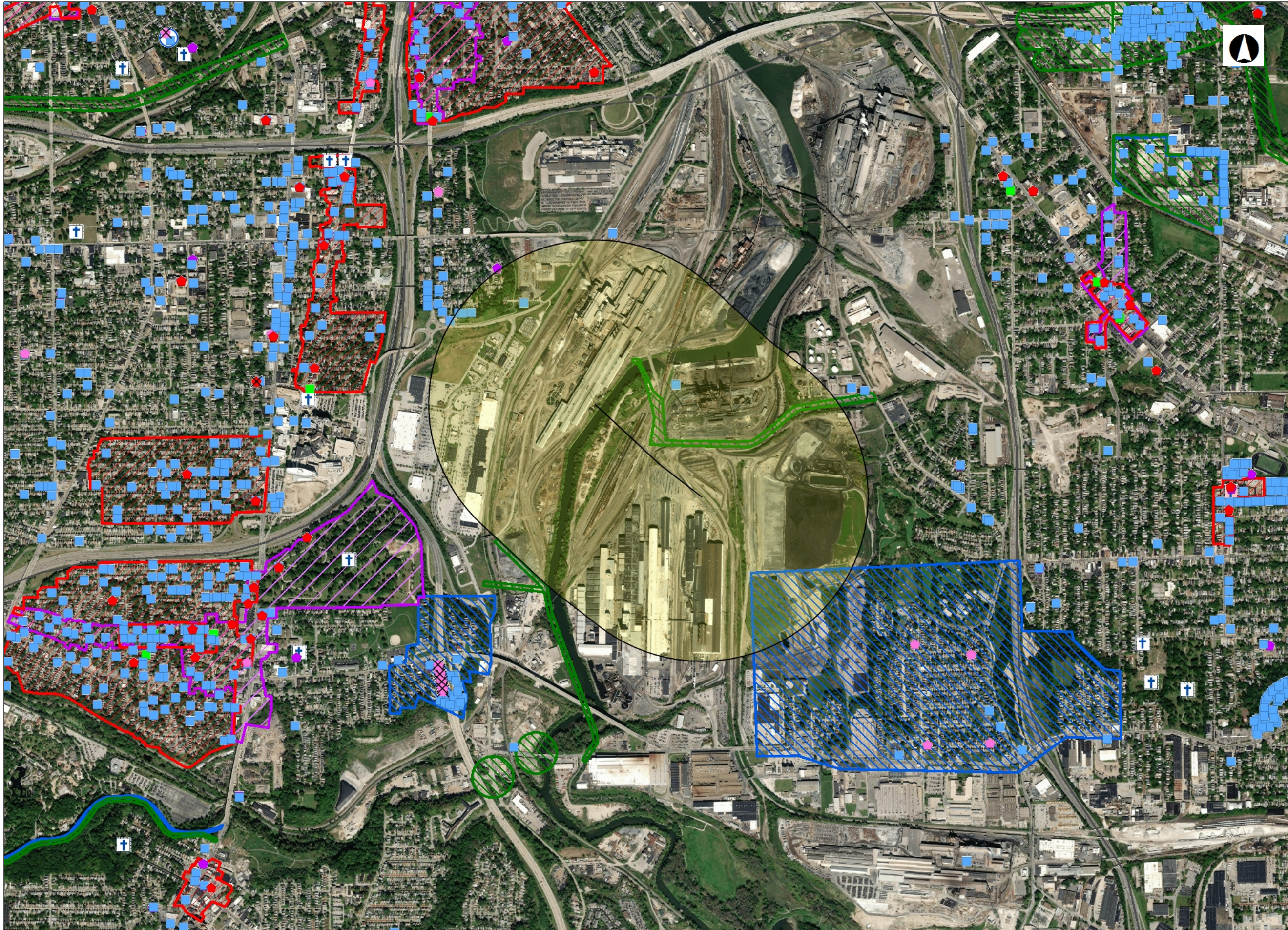
American Transmission Systems, Inc.
a subsidiary of FirstEnergy Corp.

HARDING-JENNINGS Q11 - Q14 LINES
PERMANENT RESTORATION PROJECT

SINGLE CIRCUIT DEADEND STRUCTURES
2355A, 2355B, 2355C, & 2355D

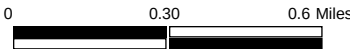
**NOT TO SCALE

EXHIBIT 5



Legend

- NR Listings
- Listed
 - National Historic Landmark
 - Delisted
- Determinations of Eligibility
- DOE
 - Demolished
- Historic Structures
- Historic Bridges
 - Historic Tax Credit Projects
 - Local Designations
- OGS Cemeteries
- Confident
 - Not Confident
- Historic Markers
- Dams
 - UTM Zone Split
 - NR Boundaries
 - Local Districts
- Previously Surveyed Areas
- Phase 1
 - Phase 2
 - Phase 3
- Historic Previously Surveyer
- Highways
 - Counties
 - NPS Parks
 - Wayne National Forest



1: 24,000

Copyright/Disclaimer

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Datum: [Datum]
Projection: WGS_1984_Web_Mercator_Auxiliary_Sp here





Ohio Department of Natural Resources

MIKE DeWINE, GOVERNOR

MARY MERTZ, DIRECTOR

Office of Real Estate

John Kessler, Chief

2045 Morse Road – Bldg. E-2

Columbus, OH 43229

Phone: (614) 265-6621

Fax: (614) 267-4764

February 7, 2023

Jenna Slabe
TRC Companies, Inc.
1382 W 9th St, Suite 400
Cleveland, OH 44113

Re: 23-0034; FirstEnergy's Harding-Jennings Q11-14 TWR 2354 & 2354A Replacement Project

Project: The proposed project involves the replacement of existing structures on the Harding-Jennings transmission line crossing the Cuyahoga River.

Location: The proposed project is located in the City of Cleveland, Cuyahoga County, Ohio.

The Ohio Department of Natural Resources (ODNR) has completed a review of the above referenced project. These comments were generated by an inter-disciplinary review within the Department. These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the National Environmental Policy Act, the Coastal Zone Management Act, Ohio Revised Code and other applicable laws and regulations. These comments are also based on ODNR's experience as the state natural resource management agency and do not supersede or replace the regulatory authority of any local, state or federal agency nor relieve the applicant of the obligation to comply with any local, state or federal laws or regulations.

Natural Heritage Database: A review of the Ohio Natural Heritage Database indicates there are no records of state or federally listed plants or animals within one mile of the specified project area. Records searched date from 1980.

Please note that Ohio has not been completely surveyed and we rely on receiving information from many sources. Therefore, a lack of records for any particular area is not a statement that rare species or unique features are absent from that area.

Fish and Wildlife: The Division of Wildlife (DOW) has the following comments.

The DOW recommends that impacts to streams, wetlands and other water resources be avoided and minimized to the fullest extent possible, and that Best Management Practices be utilized to minimize erosion and sedimentation.

The entire state of Ohio is within the range of the Indiana bat (*Myotis sodalis*), a state endangered and federally endangered species, the northern long-eared bat (*Myotis septentrionalis*), a state endangered and federally threatened species, the little brown bat (*Myotis lucifugus*), a state endangered species, and the tricolored bat (*Perimyotis subflavus*), a state endangered species. During the spring and summer (April 1 through September 30), these species of bats predominately roost in trees behind loose, exfoliating bark, in crevices and cavities, or in the

leaves. However, these species are also dependent on the forest structure surrounding roost trees. If trees are present within the project area, and trees must be cut, the DOW recommends cutting only occur from October 1 through March 31, conserving trees with loose, shaggy bark and/or crevices, holes, or cavities, as well as trees with DBH ≥ 20 if possible. If trees are present within the project area, and trees must be cut during the summer months, the DOW recommends a mist net survey or acoustic survey be conducted from June 1 through August 15, prior to any cutting. Mist net and acoustic surveys should be conducted in accordance with the most recent version of the "[OHIO DIVISION OF WILDLIFE GUIDANCE FOR BAT SURVEYS AND TREE CLEARING](#)". If state listed bats are documented, DOW recommends cutting only occur from October 1 through March 31. However, limited summer tree cutting may be acceptable after consultation with the DOW (contact Eileen Wyza at Eileen.Wyza@dnr.ohio.gov).

The DOW also recommends that a desktop habitat assessment is conducted, followed by a field assessment if needed, to determine if a potential hibernaculum is present within the project area. Direction on how to conduct habitat assessments can be found in the current USFWS "[RANGE-WIDE INDIANA BAT & NORTHERN LONG-EARED BAT SURVEY GUIDELINES](#)." If a habitat assessment finds that a potential hibernaculum is present within 0.25 miles of the project area, please send this information to Eileen Wyza for project recommendations. If a potential or known hibernaculum is found, the DOW recommends a 0.25-mile tree cutting and subsurface disturbance buffer around the hibernaculum entrance, however, limited summer or winter tree cutting may be acceptable after consultation with the DOW. If no tree cutting or subsurface impacts to a hibernaculum are proposed, this project is not likely to impact these species.

The project is within the range of the lake sturgeon (*Acipenser fulvescens*), a state endangered fish and a federal species of concern, the channel darter (*Percina copelandi*), a state threatened fish, and the bigmouth shiner (*Notropis dorsalis*), a state threatened fish. The DOW recommends no in-water work in perennial streams from March 15 through June 30 to reduce impacts to indigenous aquatic species and their habitat. If no in-water work is proposed in a perennial stream, this project is not likely to impact these or other aquatic species.

The project is within the range of the smooth greensnake (*Opheodrys vernalis*), a state endangered species. This species is primarily a prairie inhabitant, but also found in marshy meadows and roadside ditches. Due to the location, the type of habitat within the project area, and the type of work proposed, this project is not likely to impact this species.

The project is within the range of the spotted turtle (*Clemmys guttata*), a state threatened species. This species prefers fens, bogs and marshes, but also is known to inhabit wet prairies, meadows, pond edges, wet woods, and the shallow sluggish waters of small streams and ditches. Due to the location, the type of habitat within the project area, and the type of work proposed, this project is not likely to impact this species.

The project is within the range of the Blanding's turtle (*Emydoidea blandingii*), a state threatened species. This species inhabits marshes, ponds, lakes, streams, wet meadows, and swampy forests. Although essentially aquatic, the Blanding's turtle will travel over land as it moves from one wetland to the next. Due to the location, the type of habitat within the project area, and the type of work proposed, this project is not likely to impact this species.

The project is within the range of the American bittern (*Botaurus lentiginosus*), a state endangered bird. Nesting bitterns prefer large undisturbed wetlands that have scattered small pools amongst dense vegetation. They occasionally occupy bogs, large wet meadows, and dense shrubby swamps. If this type of habitat will be impacted, construction should be avoided in this

habitat during the species' nesting period of May 1 through July 31. If this type of habitat will not be impacted, the project is not likely to impact this species.

The project is within the range of the trumpeter swan (*Cygnus buccinator*), a state threatened bird. Trumpeter swans prefer large marshes and lakes ranging in size from 40 to 150 acres. They like shallow wetlands one to three feet deep with a diverse mix of plenty of emergent and submergent vegetation and open water. If this type of habitat will be impacted, construction should be avoided in this habitat during the species' nesting period of April 15 through June 15. If this habitat will not be impacted, this project is not likely to have an impact on this species.

Due to the potential of impacts to federally listed species, as well as to state listed species, we recommend that this project be coordinated with the US Fish & Wildlife Service.

Water Resources: The Division of Water Resources has the following comment.

The [local floodplain administrator](#) should be contacted concerning the possible need for any floodplain permits or approvals for this project.

ODNR appreciates the opportunity to provide these comments. Please contact Mike Pettegrew at mike.pettegrew@dnr.ohio.gov if you have questions about these comments or need additional information.

Mike Pettegrew
Environmental Services Administrator

United States Department of the Interior



FISH AND WILDLIFE SERVICE

Ecological Services
4625 Morse Road, Suite 104
Columbus, Ohio 43230
(614) 416-8993 / FAX (614) 416-8994



January 12, 2023

Project Code: 2023-0026271

Re: FirstEnergy's Harding-Jennings Q11-14 TWR 2354 & 2354A Replacement Project,
Cleveland, Cuyahoga Co., OH

Dear Ms. Slabe:

The U.S Fish and Wildlife Service (Service) has received your recent correspondence requesting information about the subject proposal. We offer the following comments and recommendations to assist you in minimizing and avoiding adverse impacts to threatened and endangered species pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq), as amended (ESA).

Federally Threatened and Endangered Species: The endangered Indiana bat (*Myotis sodalis*) and threatened northern long-eared bat (*Myotis septentrionalis*) occur throughout the State of Ohio. The Indiana bat and northern long-eared bat may be found wherever suitable habitat occurs unless a presence/absence survey has been performed to document absence. Suitable summer habitat for Indiana bats and northern long-eared bats consists of a wide variety of forested/wooded habitats where they roost, forage, and breed that may also include adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, woodlots, fallow fields, and pastures. Roost trees for both species include live and standing dead trees ≥ 3 inches diameter at breast height (dbh) that have any exfoliating bark, cracks, crevices, hollows and/or cavities. These roost trees may be located in forested habitats as well as linear features such as fencerows, riparian forests, and other wooded corridors. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet of other forested/wooded habitat. Northern long-eared bats have also been observed roosting in human-made structures, such as buildings, barns, bridges, and bat houses; therefore, these structures should also be considered potential summer habitat. In the winter, Indiana bats and northern long-eared bats hibernate in caves, rock crevices and abandoned mines.

Seasonal Tree Clearing for Federally Listed Bat Species: Should the proposed project site contain trees ≥ 3 inches dbh, we recommend avoiding tree removal wherever possible. If any caves or abandoned mines may be disturbed, further coordination with this office is requested to determine if fall or spring portal surveys are warranted. If no caves or abandoned mines are present and trees ≥ 3 inches dbh cannot be avoided, we recommend removal of any trees ≥ 3 inches dbh only occur between October 1 and March 31. Seasonal clearing is recommended to avoid adverse effects to Indiana bats and northern long-eared bats. While incidental take of northern long-eared bats from most tree clearing is exempted by a 4(d) rule (see <https://ecos.fws.gov/ecp/species/9045>), incidental take of Indiana bats is still prohibited without

a project-specific exemption. Thus, seasonal clearing is recommended where Indiana bats are assumed present.

If implementation of this seasonal tree cutting recommendation is not possible, a summer presence/absence survey may be conducted for Indiana bats. If Indiana bats are not detected during the survey, then tree clearing may occur at any time of the year. Surveys must be conducted by an approved surveyor and be designed and conducted in coordination with the Ohio Field Office. Surveyors must have a valid federal permit. Please note that in Ohio summer mist net surveys may only be conducted between June 1 and August 15.

Section 7 Coordination: If there is a federal nexus for the project (e.g., federal funding provided, federal permits required to construct), then no tree clearing should occur on any portion of the project area until consultation under section 7 of the ESA, between the Service and the federal action agency, is completed. We recommend the federal action agency submit a determination of effects to this office, relative to the Indiana bat and northern long-eared bat, for our review and concurrence. This letter provides technical assistance only and does not serve as a completed section 7 consultation document.

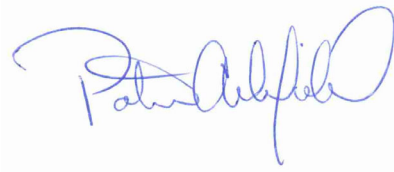
Stream and Wetland Avoidance: Over 90% of the wetlands in Ohio have been drained, filled, or modified by human activities, thus it is important to conserve the functions and values of the remaining wetlands in Ohio (https://epa.ohio.gov/portals/47/facts/ohio_wetlands.pdf). We recommend avoiding and minimizing project impacts to all wetland habitats (e.g., forests, streams, vernal pools) to the maximum extent possible in order to benefit water quality and fish and wildlife habitat. Additionally, natural buffers around streams and wetlands should be preserved to enhance beneficial functions. If streams or wetlands will be impacted, the U.S. Army Corps of Engineers should be contacted to determine whether a Clean Water Act section 404 permit is required. Best management practices should be used to minimize erosion, especially on slopes. Disturbed areas should be mulched and revegetated with native plant species. In addition, prevention of non-native, invasive plant establishment is critical in maintaining high quality habitats.

Due to the project type, size, and location, we do not anticipate adverse effects to any other federally endangered, threatened, or proposed species, or proposed or designated critical habitat. Should the project design change, or additional information on listed or proposed species or their critical habitat become available, or if new information reveals effects of the action that were not previously considered, coordination with the Service should be initiated to assess any potential impacts.

Thank you for your efforts to conserve listed species and sensitive habitats in Ohio. We recommend coordinating with the Ohio Department of Natural Resources due to the potential for the proposed project to affect state listed species and/or state lands. Contact Mike Pettegrew, Acting Environmental Services Administrator, at (614) 265-6387 or at mike.pettegrew@dnr.state.oh.us.

If you have questions, or if we can be of further assistance in this matter, please contact our office at (614) 416-8993 or ohio@fws.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrice Ashfield", is displayed on a light gray rectangular background.

Patrice Ashfield
Field Office Supervisor

cc: Nathan Reardon, ODNR-DOW
Eileen Wyza, ODNR-DOW

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

2/13/2023 4:58:02 PM

in

Case No(s). 23-0064-EL-BNR

Summary: Application Construction Notice for the Harding-Jennings 138 kV
Transmission Line Structure Replacement Project electronically filed by Mr.
Christopher K. Riedel on behalf of American Transmission Systems Incorporated