



Legal Department

American Electric Power
1 Riverside Plaza
Columbus OH 43215-2373
AEP.com

January 10, 2011

The Honorable Steven Lesser
Chairman
Ohio Power Siting Board
180 East Broad Street
Columbus, Ohio 43215-3793

Matthew J. Satterwhite
Senior Counsel –
Regulatory Services
(614) 716-1915 (P)
(614) 716-2014 (F)
mjsatterwhite@aep.com

RE: Case No. 08-170-EL-BTX

Dear Chairman Lesser:

In accordance with certificate awarded for this project, Columbus Southern Power Company provides the attached analysis of the certificate area in relation to the golden winged warbler habitat, as required by the fifth condition in the certificate.

Should you have any questions, please do not hesitate to contact me.

Cordially,

/s/ Matthew J. Satterwhite
Matthew J. Satterwhite, Senior Counsel

January 4, 2011

Mr. John Heppner
American Electric Power
700 Morrison Road
Gahanna, OH 43230-8520

Re: **Roberts-OSU 138kV Transmission Line Project: Golden-Winged Warbler Habitat Report**

Dear Mr. Heppner:

URS Corporation (URS) was retained by American Electric Power (AEP) to identify golden-winged warbler habitat along the Roberts-OSU 138 kV Transmission Line Project in response to part of the “Recommended Conditions of Certificate” from the Ohio Power Siting Board (OPSB) Staff Report. The proposed project has been reviewed and approved (Case No. 08-170-EL-BTX) by the OPSB. The OPSB certificate contains 24 conditions, one of which (5) pertains to the golden-winged warbler (*Vermivora chrysoptera*):

“That, prior to construction, the applicant shall identify likely golden winged warbler habitat within the project corridor. If identified, the applicant shall endeavor to limit impacts to this habitat particularly during the typical nesting season of May 15 to July 15. If the applicant must impact likely golden winged warbler habitat during the nesting period, a survey shall be performed prior to the proceeding to determine if this species is present. The survey results shall be reviewed and accepted by Staff prior to construction.”

This condition appears to be based on comments received by the Ohio Department of Natural Resources (ODNR) Division of Wildlife (DOW). In a letter dated May 2, 2008, URS requested ODNR-DOW’s comments concerning AEP’s proposed Roberts-OSU 138 kV Transmission Line Project. On the behalf of ODNR, Mr. David Graham, responded via letter to Mr. Matthew Thomayer at URS on May 7, 2008. In the letter, Mr. Graham identified several protected species that are or could be within the project area, including the golden-winged warbler. A copy of this correspondence is attached to this letter. The golden-winged warbler is considered by the State of Ohio to be an endangered species. Golden-winged warblers are typically spring/summer residents and could potentially occur in any part of Ohio. Golden-winged warblers inhabit

overgrown pastures, brushy habitats in early succession, and briery woodland edges. Golden-winged warblers' nests are built on or near the ground in dense herbaceous cover. ODNR-DOW stated that if shrub-dominated habitat such as successional fields, woodlands edges, and clearings are present within the project area, construction must not occur during the species' nesting period of May 15 to July 15.

In response to Condition 5, URS has identified potential habitat areas for the golden-winged warbler along the proposed project. Evaluation of potential habitat areas was conducted based on current land-use obtained from aerial photograph review and field observations by URS during ecological delineations/assessments conducted in March 2008 through August 2010. URS identified three separate areas (Area 1 through 3) along the proposed project as potential habitat for golden-winged warblers. The locations and approximate extents of the potential habitat areas are shown on Figures 1-3.

After reviewing available literature and reviewing the potential habitat areas that will be crossed by the Project construction, AEP will avoid impacting Areas 1 and 2 by not clearing during the golden-winged warbler's nesting period from May 15 through July 15 as indicated in the ODNR May 7, 2008 letter. By restricting the clearing to outside the dates provided by ODNR, AEP believes that additional studies on habitat or presence/absence studies for the golden-winged warbler are not warranted. AEP will also avoid any clearing impacts to Area 3, which is located near the west bank of the Olentangy River, due to the plans of horizontal directional drilling (HDD) of this river. The use of HDD in the project design for this waterbody crossing will limit impact and avoid clearing activities to Area 3.

The potential habitat identified in Area 1 is currently directly under an existing overhead electric transmission line. This type of habitat, specifically without any tall trees, is compatible to grow within the right-of-way of an overhead electric transmission lines. Therefore, after construction Area 1 will be allowed to return to its current state.

If you have any questions or comments regarding this report, please do not hesitate to contact the undersigned.

Sincerely,

URS CORPORATION



Benjamin Otto
Environmental Scientist



James Nicholas, Ph.D.
Principal Scientist



Ohio Department of Natural Resources

TED STRICKLAND, GOVERNOR

SEAN D. LOGAN, DIRECTOR

Division of Wildlife

David M. Graham, Chief
2045 Morse Rd., Bldg. G
Columbus, OH 43229-6693
Phone: (614) 265-6300

May 7, 2008

Matthew Thomayer, Environmental Scientist
URS Corporation
36 East Seventh Street
Suite 2300
Cincinnati, OH 45202

RE: AEP Transmission System
Franklin County
OSU Campus Area

Dear Mr. Thomayer:

This is in response to your letter dated May 2, 2008. In that letter you request comments concerning potential impacts to plant and/or animal species of concern in the area of the project referenced above. After reviewing the information provided, the Ohio Department of Natural Resources, Division of Wildlife (DOW) has the following comments.

The project is within the range of the Indiana bat (*Myotis sodalis*), a state and federally endangered species. The following species of trees have relatively high value as potential Indiana bat roost trees: Shagbark hickory (*Carya ovata*), Shellbark hickory (*Carya laciniosa*), Bitternut hickory (*Carya cordiformis*), Black ash (*Fraxinus nigra*), Green ash (*Fraxinus pennsylvanica*), White ash (*Fraxinus americana*), Shingle oak (*Quercus imbricaria*), Northern red oak (*Quercus rubra*), Slippery elm (*Ulmus rubra*), American elm (*Ulmus americana*), Eastern cottonwood (*Populus deltoides*), Silver maple (*Acer saccharinum*), Sassafras (*Sassafras albidum*), Post oak (*Quercus stellata*), and White oak (*Quercus alba*). Indiana bat habitat consists of suitable trees that include dead and dying trees of the species listed above with exfoliating bark, crevices, or cavities in upland areas or riparian corridors and living trees of the species listed above with exfoliating bark, cavities, or hollow areas formed from broken branches or tops. If suitable trees occur within the project area, these trees must be conserved. If suitable habitat occurs on the project area and trees must be cut, cutting must occur between September 30 and April 1. If suitable trees must be cut during the summer months of April 2 to September 29, a net survey must be conducted in May or June prior to cutting. Net surveys shall incorporate either two net sites per square kilometer of project area with each net site containing a minimum of two nets used for two consecutive nights, or one net site per kilometer of stream within the project limits with each net site containing a minimum of two nets used for two consecutive nights. If no tree removal is proposed, the project is not likely to impact this species.



PAGE TWO
Matthew Thomayer
May 7, 2008

The project is within the range of the bald eagle (*Haliaeetus leucocephalus*), a state and federally threatened species. The location of bald eagle activity frequently changes. Therefore, closer to the actual date of construction, the applicant must obtain an updated status of bald eagle activity in the area. To obtain any changes in status, contact Mark Shieldcastle at the Ohio Department of Natural Resources, Division of Wildlife, Crane Creek Wildlife Research Station, for current information on the presence of bald eagles in the area. He can be reached at (419) 898-0960. If a nest is located within ½ mile of the project site, coordination with the DOW is required.

The project is within the range of the clubshell (*Pleurobema clava*), a state and federally endangered mussel, the northern riffleshell (*Epioblasma torulosa rangiana*), a state and federally endangered mussel, the rayed bean (*Villosa fabalis*), a state endangered and federal candidate mussel species, the snuffbox (*Epioblasma triquetra*), a state endangered mussel, and the elephant-ear (*Elliptio crassidens crassidens*), a state endangered mussel. If there is a history of mussels near the proposed project area, it may be necessary for a professional malacologist to conduct a mussel survey in the project area. Surveys are to be done within six months before in-water work. If mussels that cannot be avoided are found in a project area, as a last resort, the DOW may recommend a professional malacologist collect and relocate the mussels to suitable and similar habitat upstream of the proposed project. If mussels are relocated, it is recommended the recipient site be monitored in two years to determine survivorship. Monitoring must follow the same survey protocol used during the relocation effort, and all marked individuals must be tallied. If no in-water work is proposed, the project is not likely to impact these species.

The project is within the range of the northern brook lamprey (*Ichthyomyzon fossor*), a state endangered fish, the blacknose shiner (*Notropis heterolepis*), a state endangered fish, and the Scioto madtom (*Noturus trautmani*), a state and federally endangered fish. Due to the mobility of these species the project is not likely to impact these species. However, we recommend no in-water work April 15 to June 30 to reduce impacts to all aquatic species and their habitat. If no in-water work is proposed, the project is not likely to impact these species.


The project is within the range of the golden-winged warbler (*Vermivora chrysoptera*), a state endangered bird. A statewide survey has not been completed for this species. A lack of records does not indicate the species is absent from the area. Therefore, if shrub-dominated habitat such as successional fields, woodland edges, and clearings are present within the project area, construction must not occur during the species' nesting period of May 15 to July 15. If this successional habitat is not present, the project is not likely to impact this species.

PAGE THREE
Matthew Thomayer
May 7, 2008

Otherwise, the Ohio Department of Natural Resources, Division of Wildlife, is not aware of any threatened or endangered species in the vicinity of this project. However, the Ohio Department of Natural Resources, Division of Natural Areas and Preserves maintains the Natural Heritage Database, the state's most comprehensive record of Ohio threatened and endangered species. If you have not already done so, it is recommended you contact the Division of Natural Areas and Preserves at (614) 265-6453. To process future projects more efficiently, I recommend you contact the Division of Natural Areas and Preserves prior to contacting the Division of Wildlife. To help expedite the process, please include the results of the Division of Natural Areas and Preserves' Natural Heritage Database request when contacting us regarding future projects.

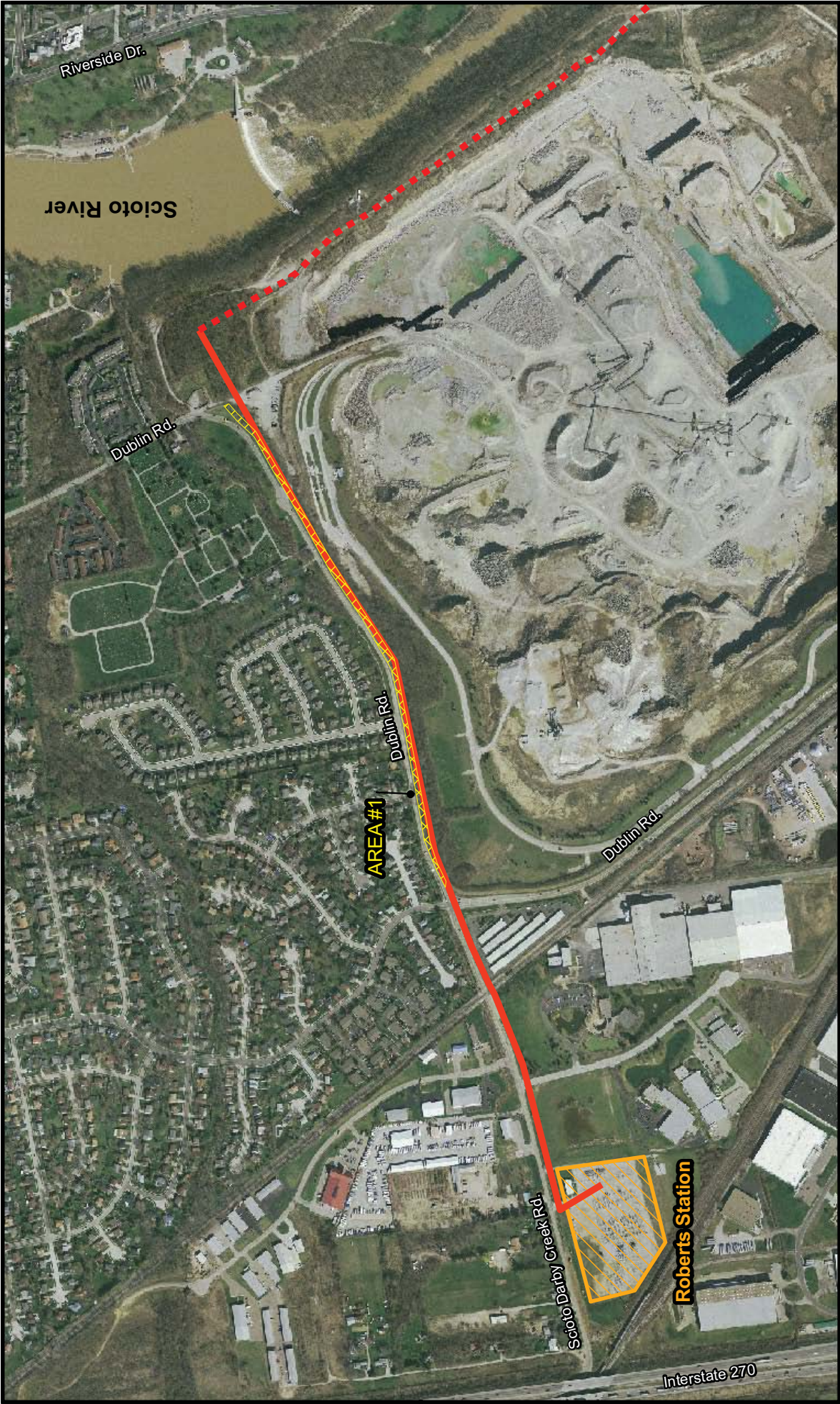
The Ohio Department of Natural Resources, Division of Wildlife is available to provide guidance on avoiding or minimizing impacts to any listed fauna and/or their habitat. If you should need further assistance, please feel free to contact Becky Jenkins at (614) 265-6631.


Sincerely,

A handwritten signature in cursive script, appearing to read "James A. Marshall", is written over the typed name of David M. Graham.

DAVID M. GRAHAM
Chief





DMG/BJ/al






Roberts-OSU 138kV Project

LEGEND:

-  Substation
-  Underground Line
-  Overhead Line
-  Potential Warbler Habitat



Scale in Feet
0 800 1,600

FIGURE 1
GOLDEN-WINGED WARBLER
POTENTIAL HABITAT AREA #1 MAP

BASE MAP SOURCE:
Franklin County Auditor Aerials, 2007

JOB NO. 14947388

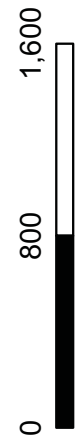


Roberts-OSU 138kV Project







FIGURE 2
GOLDEN-WINGED WARBLER
POTENTIAL HABITAT AREA #2 MAP

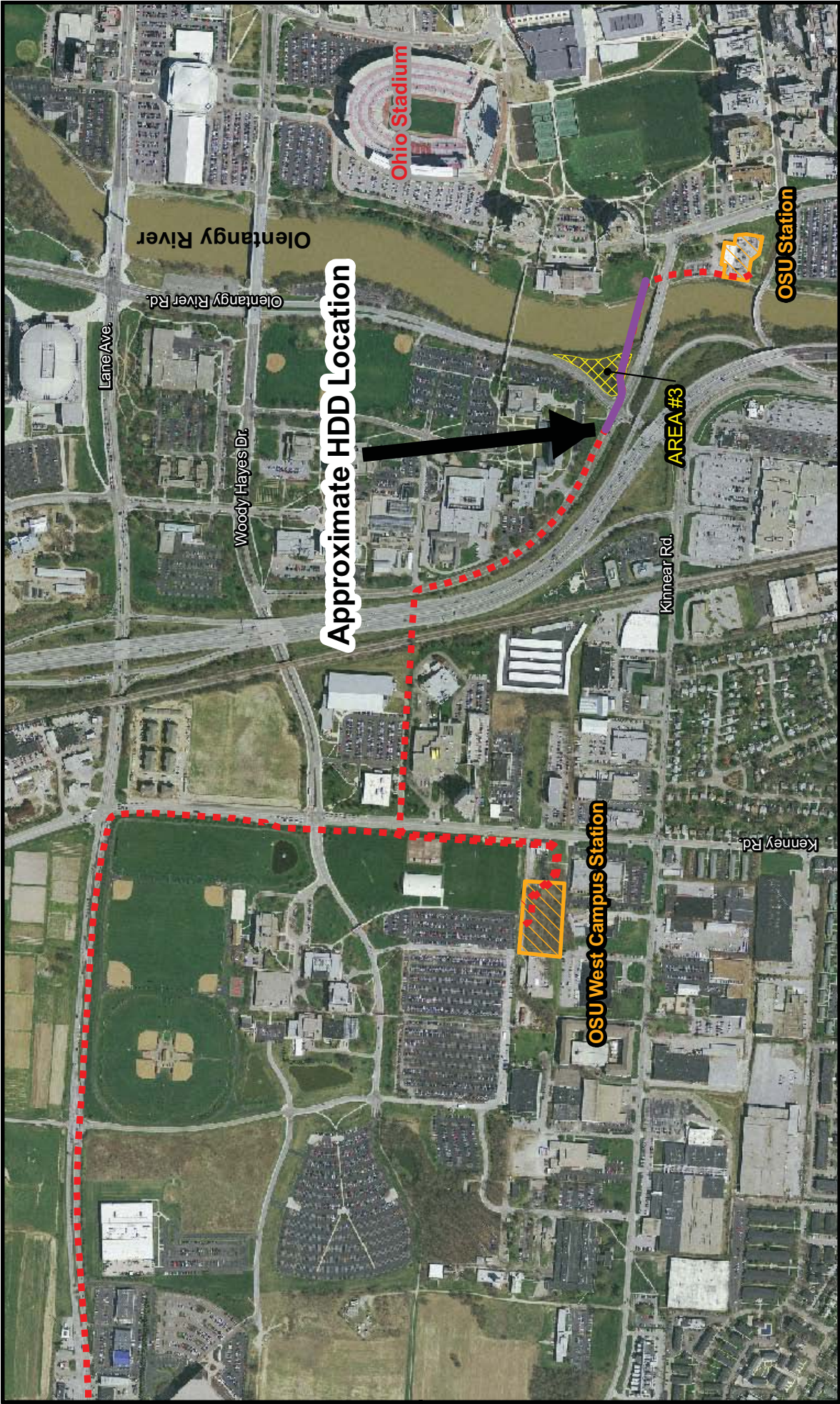
JOB NO. 14947388




Scale in Feet

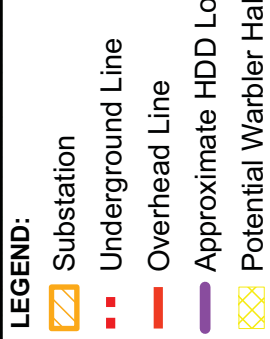
BASE MAP SOURCE:
Franklin County Auditor Aerials, 2007

- LEGEND:**
-  Substation
 -  Underground Line
 -  Overhead Line
 -  Potential Warbler Habitat





Roberts-OSU 138kV Project



LEGEND:


Substation

Underground Line

Overhead Line

Approximate HDD Location

Potential Warbler Habitat



N

0

800

1,600

Scale in Feet

BASE MAP SOURCE:
Franklin County Auditor Aerials, 2007

FIGURE 3

GOLDEN-WINGED WARBLER

POTENTIAL HABITAT AREA #3 MAP

JOB NO. 14947388

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 08-0170-EL-BTX

Summary: Notice electronically filed by Mr. Matthew J Satterwhite on behalf of Columbus Southern Power Company