

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

**In the Matter of the Letter of Notification Application by)
American Electric Power Ohio Transmission Company)
for a Certificate of Environmental Compatibility and) Case Number
Public Need for the Wagenhals-West Canton 138 kV) 13-0170-EL-BLN
Line Improvement Project in Stark County, Ohio.)**

Members of the Board:

Todd Snitchler, Chairman, PUCO
Christiane Schmenk, Director, ODSA
Dr. Ted Wymyslo, Director, ODH
David Daniels, Director, ODA
Scott Nally, Director, Ohio EPA
Jim Zehringer, Director, ODNR
Jeffery J. Lechak, PE, Public Member

Peter Stautberg, State Representative
Sandra Williams, State Representative
Tom Sawyer, State Senator
Shannon Jones, State Senator

To the Honorable Power Siting Board:

Please review the attached Staff Report of Investigation, which has been filed in accordance with the Board's rules. The applicant's accelerated certificate application in this case is subject to an automatic approval process as required by Section 4906.03 of the Ohio Revised Code.

The application will be automatically approved on February 26, 2013, unless suspended by the Board's chairperson, the executive director, or an administrative law judge. If suspended, the Board must render a decision on the application within 90 days.

The Staff Report includes recommended conditions of the certificate. Prior to the automatic approval date, the applicant must file a supplement to its application that adopts these conditions. Absent such supplement, Staff will recommend that the case be suspended.

Any concerns you or your representative may have with this case must be presented to the Executive Director of the Power Siting Board at least four business days prior to February 26, 2013, which is the automatic approval date. To contact the Executive Director with concerns, you can reply to the email to which this document was attached, or use the ContactOPSB email address listed below.

Sincerely,



Kim Wissman
Executive Director
Ohio Power Siting Board
(614) 466-6692
ContactOPSB@puc.state.oh.us

OPSB STAFF REPORT OF INVESTIGATION

Case Number: 13-0170-EL-BLN
Project Name: Wagenhals-West Canton 138 kV Line Improvement Project
Project Location: Stark County, Ohio
Applicant: American Electric Power Ohio Transmission Company
Application Filing Date: January 28, 2013
Filing Type: **(Expedited)** Letter of Notification
Inspection Date: February 12, 2013
Report Date: February 15, 2013
Automatic Approval Date: February 26, 2013
Waiver Requests: None
Staff Assigned: J. Pawley, D. Rostofer, J. Cross, G. Zeto

Summary of Staff Recommendations (see discussion below):

Application: ☐ Approval ☐ Disapproval ☒ Approval with Conditions
Waiver: ☐ Approval ☐ Disapproval ☒ Not Applicable

Project Description

The purpose of this project is to install a second 138 kV circuit to the existing lattice steel tower structures between the Wagenhals and West Canton substations in Stark County, Ohio. There is a vacant open arm position on these existing structures that will be utilized for the new circuit. The open arm position is sufficient on all but eight structures. Due to loading and engineering constraints, the Applicant will need to replace eight lattice tower structures with tubular steel double circuit pole structures. The total length of the new 138 kV circuit is approximately 10 miles. The cost of the project is estimated at \$2.01 million. Construction is expected to commence in March, 2013, and be completed by November, 2013, in order to meet PJM outage timelines.

Site Description

The new 138 kV conductor circuit is proposed entirely within existing AEP easements located in Stark County, Ohio. Some adjacent landowner permissions will be needed for access to existing structures in order to minimize impacts to driveways, residential lawns, drainage ways, wetlands, etc. All affected land owners and applicable public officials have been notified of the project. The circuit crosses Interstate 77, State Route 43, U.S. Route 62, and several other roadways, railroads, streams and wetlands. The area where this project will occur is densely populated and built-up with roadways and parking lots scattered around residential, commercial, industrial and public service land uses.

Need

PJM Regional Transmission Expansion Plan

PJM Interconnection LLC (PJM) is the Regional Transmission Organization charged with planning for upgrades to the regional transmission system in Ohio. PJM annually issues the Regional Transmission Expansion Plan (RTEP) report. The RTEP analyzes reliability criteria, operational performance of the transmission system, and economic and environmental factors. The RTEP provides for the construction of expansions and upgrades of the PJM transmission system, as needed to maintain compliance with reliability criteria and, when appropriate, to enhance the economic and operational efficiency of wholesale electricity markets in the PJM Region.

The proposed project will address reliability concerns in the Canton, Ohio area. The reliability concerns were presented in the 2009 PJM RTEP (pg. 294). This project is a baseline RTEP upgrade which will resolve a PJM, North American Electric Reliability Corporation, ReliabilityFirst, or transmission owner reliability criteria violation. Baseline projects are required to be constructed to keep the bulk electric system operating reliably.

Nature of Impacts

Social

The Applicant has proposed to construct the entire line within existing right-of-way. Therefore, potential impacts are expected to be largely confined to line stringing and construction access and should be temporary in nature. Aesthetic impacts are expected to be similar to the present, as there is an existing 138 kV circuit on one side of the towers. Eight steel lattice towers will be replaced with steel monopole structures, which will greatly reduce the footprint for the eight supporting structure locations.

There are no Agricultural District parcels identified in the study corridor. The majority of the route is located in areas comprised of residential and commercial land uses. The existing right-of-way has been maintained, but there are several residential and commercial developments that appear to have been built directly adjacent to the right-of-way, and in some instances, parking and driveways are located directly underneath the existing line. When accessing tower structures for removal, the Applicant will utilize a crane and take the structures down in sections. Once on the ground, the tower sections will be disassembled and removed by truck. New poles will need concrete trucks, a crane for assembly, and bucket trucks or temporary structures to string the new circuit conductors from structure to structure. The Applicant has indicated that helicopters will not be utilized for conductor installation. Roadway, driveway, and parking lot closures will need to be carefully coordinated with area residents, businesses, as well as public and emergency services. The Applicant will ensure that the project meets all National Electrical Safety Code standards for clearance between the line sag and any encroaching structures.

Storage of material should occur at the proposed laydown yard and brought to each site as needed (same day), and material should also be removed on the same day as deconstructed. No tower materials should be stored in residential areas.

The Applicant had a Phase I archaeological survey performed for the route in December 2012. Due primarily to the temporary nature of the access roads, limited structure replacement, and

work only occurring within existing right-of-way, no additional archaeological survey work was recommended in the Phase I report.

Surface Waters

The electric transmission line right-of-way contains 17 streams, including West Branch Nimishillen Creek, an unnamed tributary to West Branch Nimishillen Creek, East Branch Nimishillen Creek, an unnamed tributary to East Branch Nimishillen Creek, and an unnamed tributary to Middle Branch Nimishillen Creek. No pole structures are located within the 100-year flood zones of these streams. The right-of-way also contains 22 potential wetlands. All wetlands would be clearly staked prior to the commencement of any clearing in order to minimize incidental vehicle impacts. Stream and wetland impacts would be avoided by accessing pole locations from either side of the streams and/or wetlands, where practicable. If headwater streams or wetlands need to be crossed, it is standard practice of the Applicant to use timber matting to avoid or minimize impacts. The Applicant would not cross any of the streams, including the unnamed tributary to West Branch Nimishillen Creek, East Branch Nimishillen Creek, the unnamed tributary to East Branch Nimishillen Creek, or the unnamed tributary to Middle Branch Nimishillen Creek, with construction equipment. The Applicant would not conduct mechanized clearing within 25 feet of any stream channel. Stumps would be left in place to help maintain bank stability. To further limit impacts to streams and wetlands, tree clearing, which would be conducted by hand, would be limited to those trees that are perceived as posing an imminent risk to the construction and operation of the facility.

Four ponds are located within the right-of-way of this project. A pond that is adjacent to pole locations 21 and 22 is actively being mined for sand and gravel. The remaining ponds are man-made and appear to be used for recreational purposes and storm water retention. These resources would not be impacted by construction activities or impede recreational use by patrons.

OPSB Staff has reviewed the Applicant's preliminary construction access plan, which will be incorporated into the final Storm Water Pollution Prevention Plan (SWPPP). Based on OPSB Staff's review of this plan, the Applicant has appropriately considered locations of streams, wetlands, and wooded areas, and explains how impacts to all sensitive resources would be avoided or minimized during construction, operation, and maintenance of this project. The Applicant would utilize best management practices (BMPs) to minimize impacts to surface waters. Appropriate BMPs would be outlined in the SWPPP and a copy would be provided to Staff.

The Applicant anticipates submitting a Notice of Intent (NOI) for coverage under the Ohio EPA General National Pollutant Discharge Elimination System (NPDES) Permit. Coverage under the U.S. Army Corps of Engineers Nationwide Permit Program would not be required as the Applicant has committed to avoiding construction activities in wetlands and streams that would trigger such a permit.

Threatened and Endangered Species

The federal and state listed species and/or their suitable habitat that may be found in the project area include the state and federal endangered Indiana bat (*Myotis sodalis*) and the Eastern massasauga rattlesnake (*Sistrurus catenatus*), a state endangered and federal candidate snake species. Based on the type of construction activities proposed, these species and/or their suitable habitat would not be impacted by this project.

Vegetation and Ecologically-Sensitive Areas

The project route crosses through several vegetative communities, one park, and crosses conservation land. The route is directly adjacent to the Fairhope Nature Preserve. Staff understands that some tree clearing and/or vertical trimming may need to occur in this area. All project activities that may occur within or near this preserve should be coordinated with the appropriate agency/organization.

Conclusion

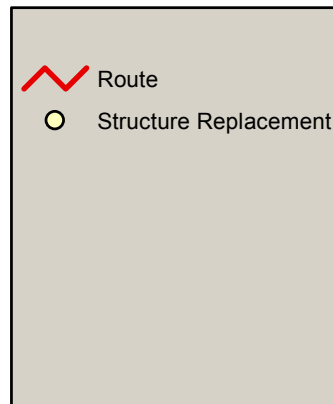
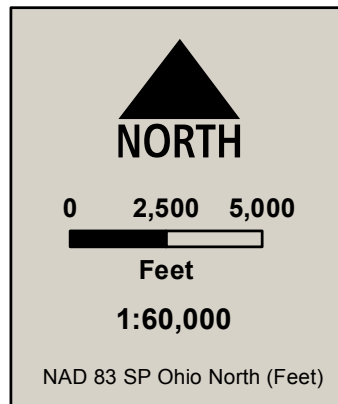
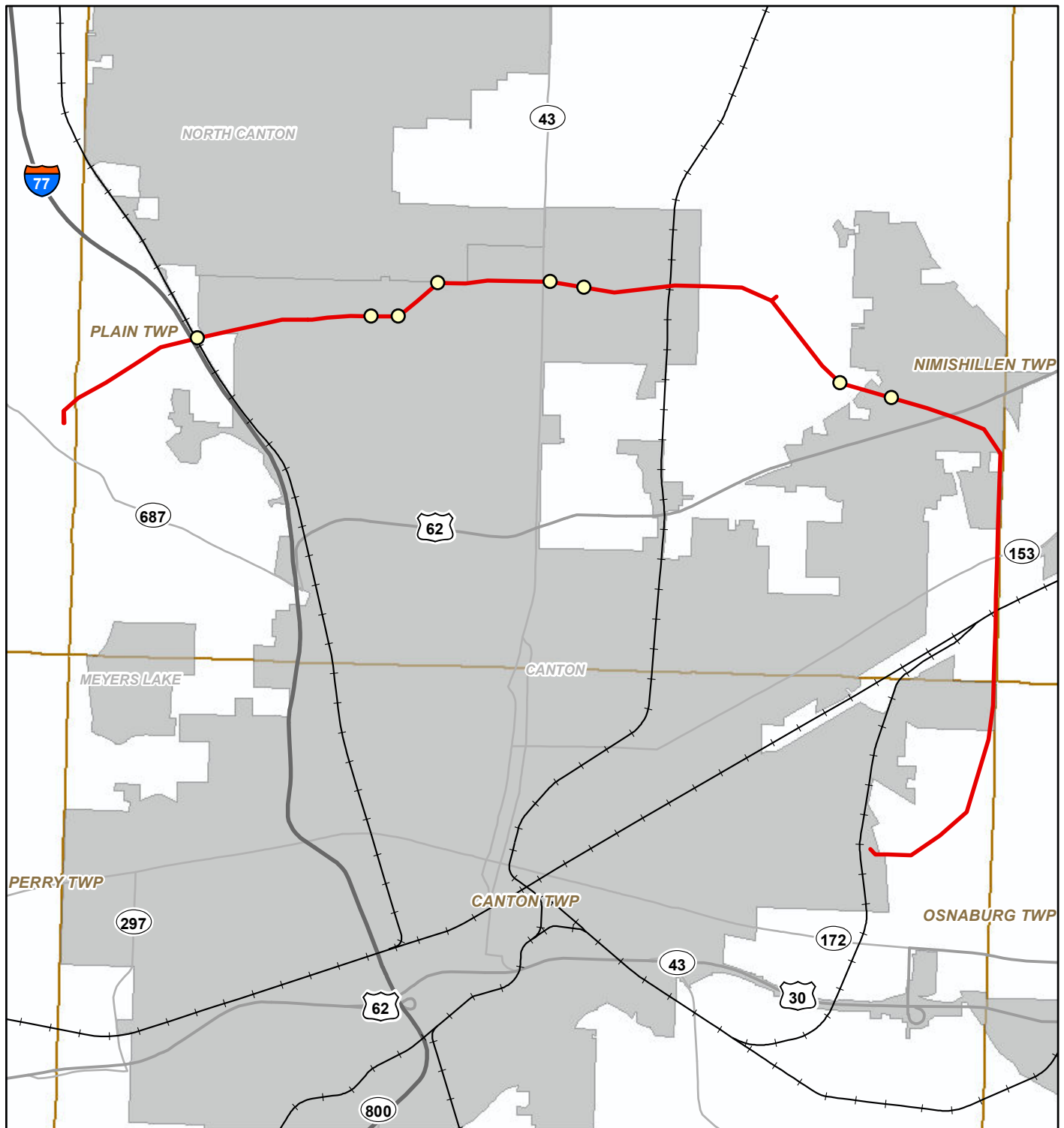
The Applicant's utilization of existing right-of-way for the entire length of the project significantly minimizes potential adverse impacts. With the following conditions, the construction of this project should pose only minimal negative social and ecological impacts. Staff recommends automatic approval of this case on February 26, 2013.

Staff Recommended Conditions:

- (1) Prior to the commencement of construction activities that require permits or authorizations by federal or state laws and regulations, the Applicant shall obtain and comply with such permits or authorizations. The Applicant shall provide copies of permits and authorizations, including all supporting documentation, to Staff within seven days of issuance or receipt by the Applicant. The Applicant shall provide a schedule of construction activities and acquisition of corresponding permits for each activity prior to the start of construction.
- (2) The Applicant shall utilize best management practices when working in the vicinity of environmentally sensitive areas. This includes, but is not limited to, the installation of silt fencing (or similarly effective tool) prior to initiating construction near streams and wetlands. The installation shall be done in accordance with generally accepted construction methods and shall be inspected regularly.
- (3) The Applicant shall institute a public information program that informs affected property owners of the nature of the project, specific contact information for Applicant personnel who are familiar with the project, the proposed timeframe for project construction, and a schedule for restoration activities. Notification to property owners shall be given at least seven days prior to work on the affected property.
- (4) The Applicant shall remove all temporary gravel and other access materials after completion of construction activities as weather permits, unless otherwise directed by the landowner. Impacted areas shall be restored to preconstruction conditions in compliance with the NPDES permit(s) obtained for the project and the approved SWPPP created for this project.
- (5) All material storing and pre-staging shall occur at the Applicant's proposed laydown yard, adjacent to the Wagenhals Substation, on AEP-owned property.
- (6) The Applicant shall coordinate with business owners regarding pedestrian and vehicular traffic while stringing overhead cable.
- (7) The Applicant shall coordinate all traffic-related issues with the appropriate entities (including the Ohio Department of Transportation and local authorities, including public and emergency services) to ensure that traffic will be maintained along public roadways

and private drives during construction, or plans will need to be in place for appropriate temporary traffic diversions.

- (8) Any damage to driveways, roadways and/or residential lawns as a result of this project shall be restored upon completion of construction.



Overview Map

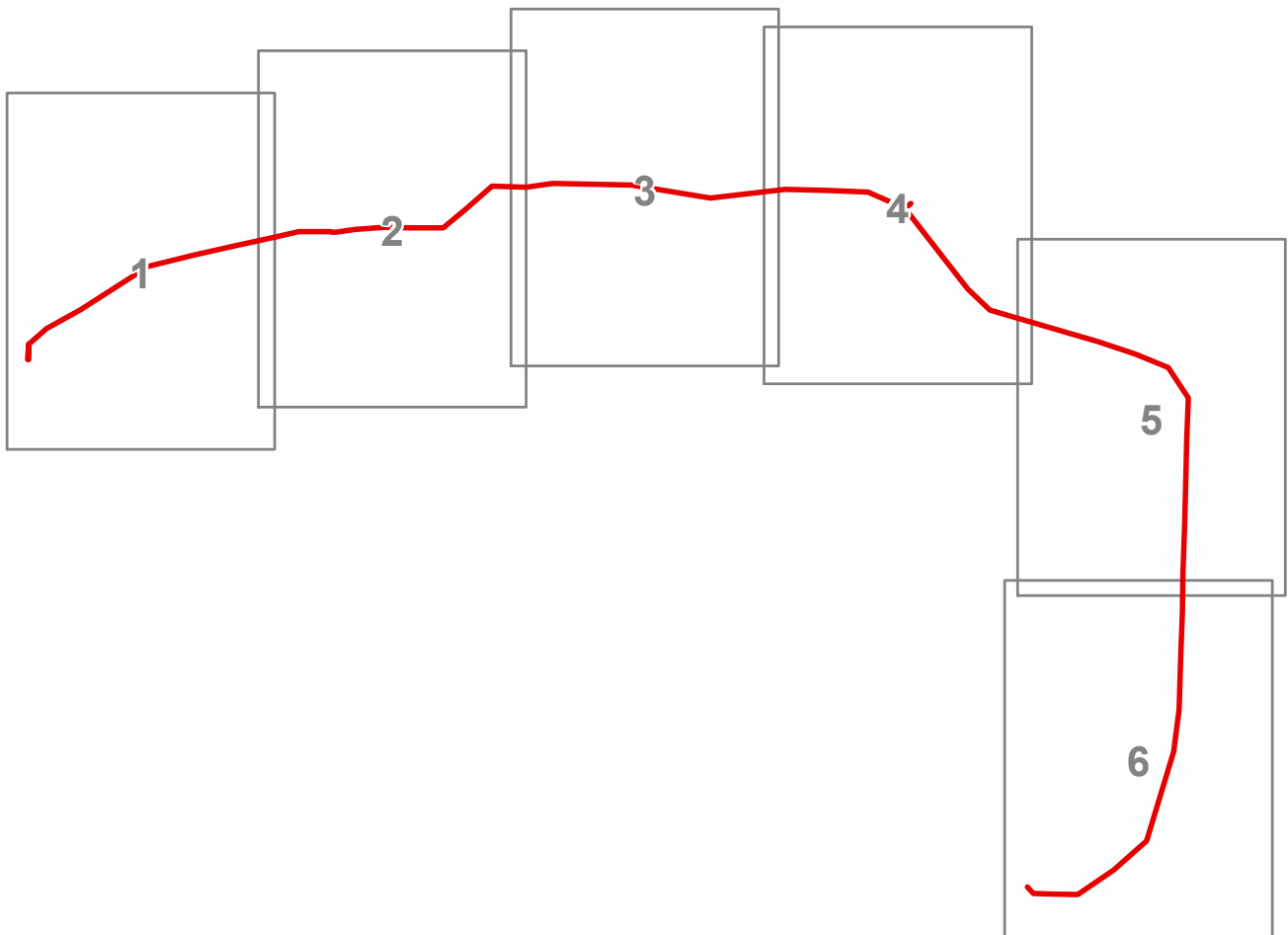
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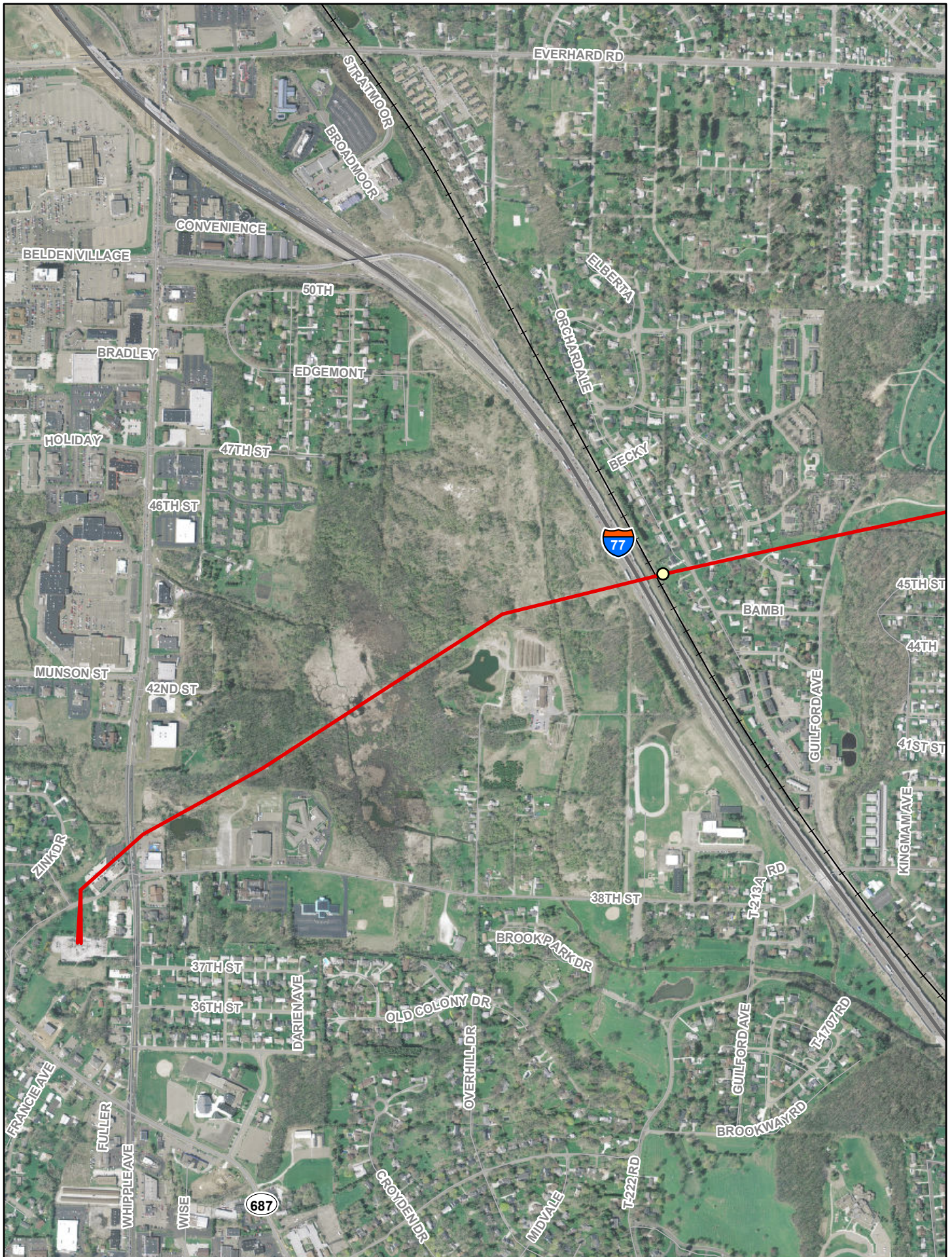
Wagenhals-West Canton
138kV

Line Improvement Project

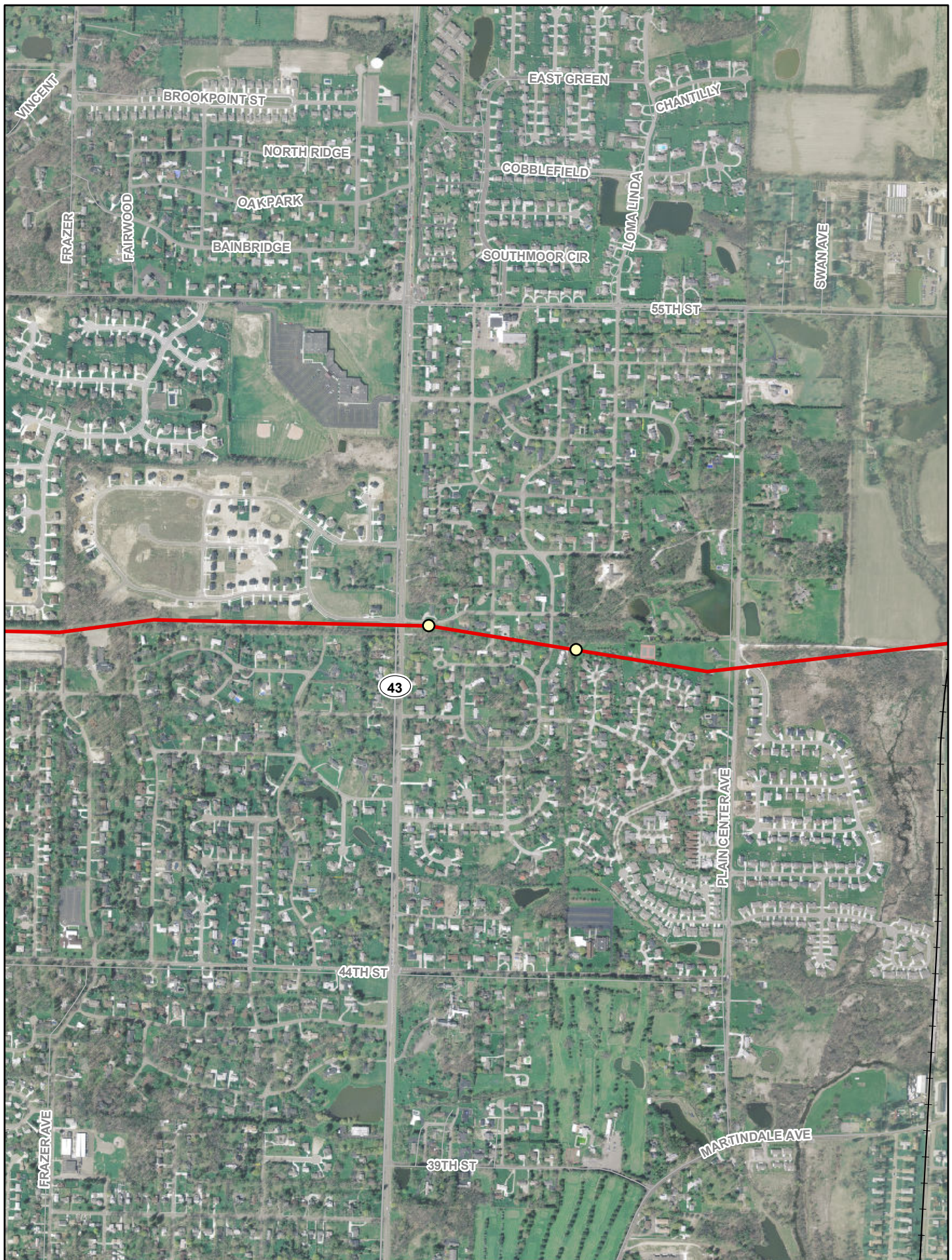
Maps are presented solely for the purpose of providing a visual representation of the project in the staff report, and are not intended to modify the project as presented by the Applicant in its certified application and supplemental materials.

Map Index

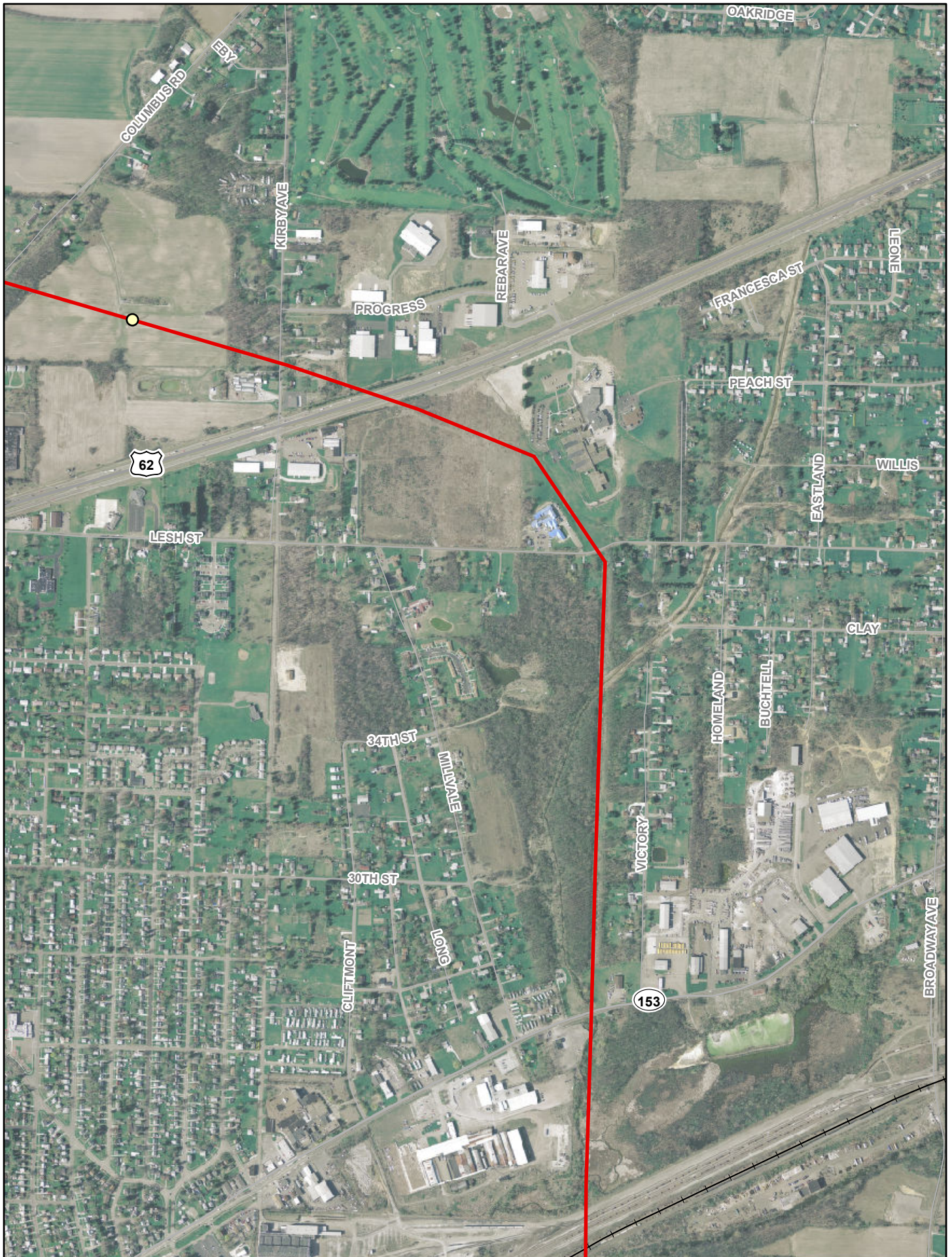














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Case No(s). 13-0170-EL-BLN

Summary: Report of Investigation electronically filed by Mr. Matt Butler on behalf of Staff of OPSB