

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 Tiffin Center-Fremont Center 138) 14-0143-EL-BLN
kV Line Improvement Project in Seneca County, Ohio.)**

Members of the Board:

Chairman, Public Utilities Commission	Ohio House of Representatives
Director, Development Services Agency	State Senate
Director, Department of Health	
Director, Department of Agriculture	
Director, Environmental Protection Agency	
Director, Department of Natural Resources	
Public Member	

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 April 5, 2014, 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.

Any concerns you or your representative may have with this case must be presented to the Executive Director of the Power Siting Board prior to April 5, 2014, 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: 14-0143-EL-BLN
Project Name: Tiffin Center-Fremont Center 138 kV Line Improvement
Project Location: Seneca County
Applicant: American Electric Power Ohio Transmission Company
Application Filing Date: March 7, 2014
Filing Type: **Expedited** Letter of Notification
Inspection Date: March 19, 2014
Report Date: April 3, 2014
Automatic Approval Date: April 5, 2014
Waiver Requests: None
Staff Assigned: J. Whitis, G. Zeto, J. Cross

Summary of Staff Recommendations (see discussion below):

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

Project Description

This project consists of rebuilding the Tiffin Center-Fremont Center transmission line from a single circuit 138 kV line to a new double circuit 138 kV line for approximately 12.6 miles. The existing structures need to be replaced by new double circuit steel poles. Existing structures consist of two pole wood H-frames and would be replaced with single pole steel structures to support the double circuit 138 kV line. The project is estimated to cost approximately \$6.1 million.

Site Description

All new structures would be located within existing transmission line right-of-way located in Seneca and Sandusky counties. Land use along the rebuild predominately includes residential, rural, and agricultural uses. The project would utilize the temporary laydown area included at AEP's Melmore-Tiffin Center project.

Need

Facility Need

The proposed project is a baseline reliability upgrade approved by the PJM Interconnection (PJM) Board of Directors as a part of the Regional Transmission Expansion Plan (RTEP) to meet system reliability requirements, due to generation retirements in Ohio. A PJM baseline reliability upgrade resolves a system reliability criteria violation that was found by AEP, North American

Electric Reliability Corporation, or PJM planning criteria. The proposed project would reinforce the transmission system in parts of the Fremont-Fostoria area in Seneca County.

PJM Regional Transmission Expansion Plan

PJM is the Regional Transmission Organization charged with planning for upgrades to the regional transmission system in Ohio. PJM annually issues the RTEP report, which 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 was identified as a baseline upgrade in the 2009 PJM RTEP and approved by the PJM Board of Directors.¹ The Applicant's project was assigned upgrade ID b1667. The status of the project can be tracked on PJM's website.²

Nature of Impacts

Surface Waters

The existing electric transmission line right-of-way contains four ephemeral streams, 10 intermittent streams, and four perennial streams, including the Sandusky State Scenic River. No in-water work is proposed, and no stream crossings would be necessary. Each pole would be accessible from a route that does not require a stream crossing, and each pole would have control measures in place, as needed. 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 these streams, 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.

The existing right-of-way also contains nine wetlands. The Ohio Environmental Protection Agency (Ohio EPA) Ohio Rapid Assessment Method was used to score wetlands along the route. One wetland scored as category 1, seven wetlands scored as category 2, and one wetland scored as category 3. Seven pole replacements would be located within five different wetlands for a combined total of 28 square feet (0.0006 acres) of impacts. Wetlands would be clearly staked prior to the commencement of any clearing in order to minimize incidental vehicle impacts. Operation of heavy mechanized equipment is not planned within any identified wetland, although some construction equipment would cross wetlands using timber matting. Selective hand-clearing would be required in wetlands to remove woody vegetation that may impede construction or interfere with operation of the transmission line.

The Applicant would file a Pre-Construction Notification for a Section 10 aerial crossing nationwide permit for crossing the Sandusky River with the US Army Corps of Engineers and

¹ "PJM 2009 Regional Transmission Expansion Plan," PJM Interconnect, accessed March 18, 2014, <http://pjm.com/planning.aspx>, p.294.

² "PJM Transmission Construction Status," PJM Interconnect, <http://pjm.com/planning/rtep-upgrades-status/construction-status.aspx>.

would continue other associated coordination. The Applicant also anticipates submitting a notice of intent for coverage under the Ohio EPA General National Pollutant Discharge Elimination System Permit. The Applicant would utilize best management practices (BMP) to minimize impacts to surface waters. The proposed BMPs would be outlined in the Stormwater Pollution Prevention Plan, and a copy would be provided to the Board's Staff. Staff also recommends that the Applicant be required to provide a final construction access plan for review prior to construction. The plan would consider the location of streams, wetlands, and wooded areas and explain how impacts to all sensitive resources would be avoided or minimized during construction, operation, and maintenance of the facility.

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 federal and state endangered Indiana bat (*Myotis sodalis*) and the federally protected bald eagle (*Haliaeetus leucocephalus*). In order to avoid impacts to the Indiana bat, the Applicant would adhere to seasonal cutting dates of October 1 through March 31 for removal of suitable Indiana bat habitat trees, if avoidance measures cannot be achieved.

An active bald eagle nest is located approximately 215 feet from the existing route centerline. The U.S. Fish and Wildlife Service has concluded that the project is not likely to result in disturbance or harm to bald eagles. This conclusion was reached, because the right-of-way is existing and partially cleared, the eagles selected to nest in the open setting dominated by agriculture with only a narrow tree line along the river, at least one tree would be in between the nest tree and the right-of-way and vegetative screening of the nest tree should remain about the same, and all clearing would occur during the non-nesting season.

Vegetation and Ecologically-Sensitive Areas

The project route crosses through several vegetative communities, and one wildlife area. Specifically, the route crosses the Ohio Department of Natural Resources (ODNR) Sugar Creek Wildlife Area. The Applicant is currently coordinating the project with ODNR, and all project activities within the wildlife area would continue to be coordinated.

Conclusion

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 April 5, 2014.

Staff Recommended Conditions

1. Prior to construction, the Applicant shall obtain and comply with all applicable permits and authorizations as required by federal and state entities for any activities where such permit or authorization is required, including any permits necessary for aviation clearance. Copies of such permits and authorizations, including all supporting documentation, shall be provided to Staff;

2. The Applicant shall conduct a pre-construction conference(s) prior to the start of any project work (including any vegetation clearing), which the Staff shall attend, to discuss how environmental concerns will be satisfactorily addressed;
3. 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;
4. The Applicant shall submit to the Staff, for review and approval, a final project construction access plan prior to construction. This plan shall include all laydown areas, residential and environmentally sensitive area access points (walk in locations only), and any locations where vegetation clearing is required;
5. The Applicant shall adhere to seasonal cutting dates of October 1 and March 31 for removal of suitable Indiana bat habitat trees, if avoidance measures cannot be achieved;
6. The Applicant shall not conduct mechanized clearing within 25 feet of any stream channel; and
7. Work within 660 feet of a bald eagle nest or within the direct line of-site of a nest shall be restricted from January 15 through July 31. Existing trees shall be preserved as much as possible to preserve the character of the habitat.

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

4/3/2014 9:41:28 AM

in

Case No(s). 14-0143-EL-BLN

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