

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 East Amsterdam-Miller Switch 138 ) 14-0531-EL-BLN  
kV Transmission Line Project in Harrison and Jefferson )  
counties, Ohio. )**

Members of the Board:

Chairman, Public Utilities Commission	Ohio House of Representatives
Director, Development Services Agency	Ohio 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 **September 26, 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.

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 **September 26, 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,



Patrick Donlon  
Interim Executive Director  
Ohio Power Siting Board  
(614) 466-6692  
[ContactOPSB@puc.state.oh.us](mailto:ContactOPSB@puc.state.oh.us)

## OPSB STAFF REPORT OF INVESTIGATION

**Case Number:** 14-0531-EL-BLN  
**Project Name:** East Amsterdam-Miller Switch 138 kV Transmission Line Rebuild Project  
**Project Location:** Harrison and Jefferson counties  
**Applicant:** American Electric Power Ohio Transmission Company  
**Application Filing Date:** June 27, 2014  
**Filing Type:** Letter of Notification  
**Inspection Dates:** August 28, 2014, September 15, 2014  
**Report Date:** September 18, 2014  
**Automatic Approval Date:** September 26, 2014  
**Applicant's Waiver Requests:** None  
**Staff Assigned:** J. Pawley, D. Rostofer, A. Holderbaum

### 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 rebuild an existing 69 kilovolt (kV) single-circuit transmission line in an existing 50-foot right-of-way corridor between the Miller Switch Station and the East Amsterdam Station, in Harrison and Jefferson counties. The 69 kV transmission line will be rebuilt to 138 kV specifications, and the right-of-way will be expanded from 50 feet to 100 feet. The total length of the rebuilt 138 kV circuit is approximately 9.7 miles. Over 200 existing wood structures (originally built in 1918) will be replaced with 150 new steel structures. The cost of the overall project is estimated at approximately \$21 million. Access road construction is expected to commence late September 2014, with transmission line construction to be completed and placed in service in June 2015.

This rebuild project will address increased load concerns as a result of recent requests for load increases from Momentum and Access Midstream, shale companies in eastern Ohio. The new transmission line will continue to operate at 69 kV, but will be capable of operating at 138 kV when the new customers are fully online. On September 12, 2014, the Applicant filed supplemental information pertaining to a reroute of the proposed facility at the request of an affected property owner (Apex Environmental, LLC). The requested reroute is to accommodate future landfill expansion plans by the property owner. Staff incorporated field investigations to include this reroute request.

## **Nature of Impacts**

### *Social*

Aside from the landfill reroute, the Applicant has proposed to rebuild the entire line within existing right-of-way, expanded by 50 feet. Therefore, potential impacts are expected to be largely confined to access for structure replacement and line stringing and should be temporary in nature. The existing right-of-way traverses low-density single-family residential areas. Since the initial construction of the facility, some outbuildings have been constructed in or near the existing 69 kV transmission circuit, and will need to be moved. Residential aesthetic impacts are expected to be similar to present conditions, given the presence of the existing right-of-way and line.

Wood pole structures will be replaced with steel monopole structures. The Applicant has indicated that vegetation within the right-of-way, or trees that present a hazard to the line will need to be cleared and/or trimmed, effecting residential screening. Additionally, there is the possibility that non-inhabited structures may need to be moved or removed from the right-of-way. The Applicant will coordinate with residential property owners before removing fencing, sheds, trees, etc. from the existing right-of-way. Some landowner permissions and roadway permits will be needed for access to the existing/new structures in order to minimize impacts to drainage ways, wetlands, etc. The Applicant has appropriate access and is currently working with landowners to finalize the expanded right-of-way and an access plan for the project to best minimize impacts to individual properties.

The majority of land use/land cover for the project is agricultural, residential, a landfill operation, and forested or wooded areas (with right-of-way cleared/maintained for the existing line circuit). The project crosses 11 agricultural district parcels (three in Harrison County and eight in Jefferson County). The Applicant has stated that since the project is within an existing electric transmission line corridor, when completed, the project would not require any changes from current agricultural practices.

The Applicant was performing a Phase I cultural resources survey for the route at the time of this report. The applicant stated that, to date, no significant cultural material or artifacts have been recovered along the route, and that once completed, a copy of the Phase I report will be provided to Staff for review and approval.

### *Surface Waters*

The electric transmission line right-of-way and proposed access road limits contains 32 streams, including North Branch Cross Creek, Goose Creek, and Wolf Run. No pole structures would be located within the 100-year flood zones of these streams. The right-of-way and proposed access road limits also contains eleven wetlands. None of these wetlands were scored as high quality wetlands (Category 2/3 or Category 3). 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. One pond is located within the project right-of-way, and the project will not traverse any conservation areas, scenic rivers, or recreation lands.

Staff has reviewed the Applicant's construction access plan, which will be incorporated into a final Stormwater Pollution Prevention Plan (SWPPP). The Applicant considered locations of streams, wetlands, wooded areas, and sensitive plant species, as identified by the Ohio Division of Wildlife and explain how impacts to all sensitive resources would be avoided or minimized during construction, operation, and maintenance of the facility.

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 plans to submit a Notice of Intent for coverage under the Ohio EPA General National Pollutant Discharge Elimination System Permit. Coverage under the U.S. Army Corps of Engineers Nationwide Permit Program is not required.

#### *Threatened and Endangered Species*

The project is within the known range of the federal and state endangered Indiana bat (*Myotis sodalis*). Suitable habitat was found in the project right-of-way. In order to reduce or avoid impacts to the Indiana bat, the Applicant has committed to adherence to seasonal tree cutting dates of October 1 to March 31 for the clearing of trees that exhibit suitable Indiana bat summer habitat.

Suitable nesting habitat for the upland sandpiper (*Bartramia longicauda*), a state endangered bird, is located within project right-of-way. This species' preferred nesting habitat consists of dry grasslands such as pasture fields, hayfields, and grasslands established through the Conservation Reserve Program. Staff recommends that the Applicant be required to avoid upland sandpiper nesting habitat during its nesting period of April 15 to July 31 or perform a presence/absence survey prior to commencement of construction. If the Applicant chooses to conduct the presence/absence survey, staff would recommend that the Applicant consult with the Division of Wildlife on survey methods. Staff would also recommend that the Applicant be required to provide all survey results to the Division of Wildlife and Staff for review and acceptance prior to construction in grassland habitat between April 15 and July 31.

The Bowman's root (*Porteranthus trifoliatus*), a state threatened plant, is located within one mile of the project area. Staff would recommend that the Applicant be required to coordinate with the Ohio Department of Natural Resources for recommendations on how to avoid and/or minimize impacts to this species during construction.

#### **Conclusion**

The Applicant's utilization of existing right-of-way and temporary access for the 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 September 26, 2014.

#### **Staff Recommended Conditions**

1. Prior to construction, the Applicant shall obtain all applicable permits and authorizations as required by federal and state entities for any activities where such permit or authorization is required;

2. 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;
3. The Applicant shall avoid, where possible, any damage to field drainage systems resulting from construction of the facility in agricultural areas. Damaged systems shall be repaired to at least original conditions at the Applicant's expense. Severely compacted soils shall be plowed, if necessary, to restore them to original condition;
4. At least 30 days before the pre-construction conference, the Applicant shall submit to the Staff, for review and acceptance, a project SWPPP;
5. The Applicant shall adhere to seasonal tree cutting dates of October 1 to March 31 for the clearing of trees that exhibit suitable Indiana bat summer habitat;
6. The Applicant shall avoid upland sandpiper nesting habitat during its nesting period of April 15 to July 31 or perform a presence/absence survey prior to commencement of construction. If the Applicant chooses to conduct a presence/absence survey, the Applicant shall consult with the Division of Wildlife on survey methods and provide all survey results to the Division of Wildlife and Staff for review and acceptance prior to construction in grassland habitat between April 15 and July 31;
7. The Applicant shall coordinate with the Department of Natural Resources for recommendations on how to avoid and/or minimize impacts to the Bowman's root during construction;
8. The Applicant shall secure all necessary right-of-way as needed prior to the commencement of construction; and
9. The Applicant shall submit a copy of the completed Phase I cultural resources survey results to Staff for review and approval once completed.

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

**Commission of Ohio Docketing Information System on**

**9/18/2014 11:34:56 AM**

**in**

**Case No(s). 14-0531-EL-BLN**

Summary: Staff Report of Investigation electronically filed by Mrs. Yvonne W Cooper on behalf of Staff of OPSB