

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

In the Matter of the Letter of Notification Application by)
American Transmission Systems, Inc. for the for a)
Certificate of Environmental Compatibility and Public) Case Number:
Need for the Harding-Perry 345 kV Transmission Line) 14-1107-EL-BLN
Loop to and Expansion of the Leroy Center Substation)

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 **March 2, 2015**, 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 from the date of suspension.

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.

Please present any concerns you or your designee may have with this case to my office at least four business days prior to **March 2, 2015**, which is the automatic approval date.

Sincerely,



Patrick Donlon
Executive Director
Ohio Power Siting Board
(614) 644-8932
ContactOPSB@puc.state.oh.us

OPSB STAFF REPORT OF INVESTIGATION

Case Number: 14-1107-EL-BLN
Project Name: Harding-Perry 345 kV Transmission Line
Loop to and Expansion of the Leroy Center Substation
Project Location: Lake County
Applicant: American Transmission Systems, Incorporated
Application Filing Date: December 1, 2014
Filing Type: Letter of Notification
Inspection Date: January 23, 2015
Report Date: February 20, 2015
Automatic Approval Date: March 2, 2015
Waiver Requests: None
Staff Assigned: J. O'Dell & A. Holderbaum

Summary of Staff Recommendations (see discussion below):

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

Project Description

This project involves the expansion of the Leroy Center Switching Station. The proposed expansion would accommodate the installation of new transformers and associated equipment. The new transformers are needed to reinforce the transmission system and to address reliability issues related to generation retirement. This case is associated with the Perry-Harding & Perry-Inland 345 kV Transmission Line Structure 7119B Replacement project (ref: 15-0106-EL-BLN), which was approved by the Board on February 9, 2015.

Site Description

Land use in proximity to the project consists of agricultural and light density rural uses. Access is readily available from Leroy Center Road. The applicant would not need to acquire any additional right-of-way (r-o-w) or easements to complete the substation expansion. The project is located in Leroy Township.

Ecological Impacts

Surface Waters

Five wetlands were delineated for this project. The Applicant anticipates 6.48 acres of permanent wetland fill impacts would be required, 5.35 acres of which would be forested wetlands. An additional 1.56 acres of forested wetland would be permanently converted to emergent wetland habitat by non-mechanical clearing. All five of the wetlands that would be impacted are Category 2 wetlands. The Applicant would obtain coverage under the United States Army Corps

of Engineers Individual Section 404 Permit Application and an Individual Section 401 Water Quality Certification from the Ohio Environmental Protection Agency (OEPA). Both applications were submitted on September 26, 2014.

For discharges associated with construction activities, the Applicant anticipates submitting a Notice of Intent for coverage under the OEPA General National Pollutant Discharge Elimination System Permit. There would be no temporary impacts to wetlands. The Applicant would use Best Management Practices (BMPs), such as construction matting, for any additional temporary access roads, work pads, or laydown areas associated with wetlands.

Installing the substation adjacent to the switching station would reduce the overall footprint of the project and would incorporate the maximum amount of the existing switching station yard into the expansion. Less transmission work would be needed, as the new 345kV expansion would be located beneath the existing Harding-Perry 346kV line.

Two streams were delineated in the project area. No in-water work would be required for this project. No impacts to streams are anticipated. The project would not traverse through any conservation areas, scenic rivers, or recreation lands. BMPs would be utilized to minimize impacts to surface waters.

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*), the state and federally endangered Piping Plover (*Charadrius melodus*), the state and federally endangered Kirtland's Warbler (*Dendroica kirtlandii*), the state endangered Black Sandshell (*Ligumia recta*), the state endangered Fawnsfoot (*Truncilla donaciformis*), the state endangered black bear (*Ursus americanus*), the state endangered Northern Brook Lamprey (*Ichthyomyzon fossor*), the state endangered upland sandpiper (*Bartramia longicauda*), and the state threatened Spotted Turtle (*Clemmys guttata*).

More than five acres of tree clearing would be required for this project. In order to reduce potential impacts to the Indiana bat, the U.S. Fish and Wildlife Service (USFWS) and Staff recommend that the Applicant be required to adhere to seasonal clearing dates of October 1 through March 31 for removal of trees that exhibit suitable Indiana bat habitat, unless coordination efforts with the Ohio Department of Natural Resources (ODNR) and the USFWS reflect a different course of action (e.g. an authorized deviation from seasonal tree cutting dates for a period of time).

Per ODNR recommendations, the Applicant contracted Gregory Lipps, a state-approved herpetologist, to conduct a Spotted Turtle habitat suitability survey. In a letter dated August 25, 2014, Mr. Lipps concluded that the project area does not contain suitable habitat for the Spotted Turtle. The ODNR concurred with his findings on September 22, 2014.

No in-water work would be required for the project. Based on the type of construction activities proposed, threatened or endangered species and/or their suitable habitat would not be expected to be impacted by this project.

Conclusion

Four alternative locations were submitted by the Applicant. Each of the alternative sites would result in the proposed substation expansion being located an even greater distance away from the existing switching station.

Permanent impacts to wetlands would also be required under each of the alternatives. The Applicant has coordinated with appropriate state and federal agencies regarding wetland fill activities.

Due to increased r-o-w length, substation construction that is not contiguous to the existing switching station would be more costly. Potential cost increases are significant, ranging from approximately \$2.6 to \$7.4 million. Costs would increase due to additional construction needs and, in some cases, land acquisition.

No agricultural district lands are within the proposed fence line boundaries. The Applicant has surveyed for the presence of cultural resources, and the State Historic Preservation Office has concurred that impacts to architectural or historical resources are unlikely.

The construction of this project should pose only minimal negative social and ecological impacts. Staff recommends that the Applicant be permitted to commence construction of this facility on March 2, 2015.

Conditions

1. The Applicant shall adhere to seasonal cutting dates of October 1 through March 31 for removal or trimming of suitable Indiana bat habitat trees, unless coordination efforts with the Ohio Department of Natural Resources and the U.S. Fish and Wildlife Service reflects a different course of action;
2. 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.

This foregoing document was electronically filed with the Public Utilities

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Case No(s). 14-1107-EL-BLN

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