

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

**In the Matter of the Application of American Electric)
Power Ohio Transmission Company for an Amendment)
to the Dennison-Yager 138 kV Transmission Line)
Rebuild Project)** **Case No. 18-1856-EL-BTA**

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 Ohio Power Siting Board rules. The application in this case is subject to an approval process as required by Section 4906.03 of the Ohio Revised Code.

Respectfully submitted,



Tamara S. Turkenton
Director, Rates and Analysis
Public Utilities Commission of Ohio

OPSB STAFF REPORT OF INVESTIGATION

Project Name: Amendment to the Dennison-Yager 138 kV Transmission Line Rebuild Project
Case Number: 18-1856-EL-BTA
Project Location: Harrison and Tuscarawas counties
Applicant: American Electric Power Ohio Transmission Company
Application Filing Date: December 21, 2018, Supplemented May 17, 2019
Inspection Date: February 26, 2019
Report Date: June 7, 2019
Applicant's Waiver Requests: None
Staff Assigned: J. Pawley, A. Holderbaum

Summary of Staff Recommendations (see discussion below):

Application: ☐ Approval ☐ Disapproval ☒ Approval with Conditions

Waiver: ☐ Approval ☐ Disapproval ☒ Not Applicable

Application Description and Need

American Electric Power Ohio Transmission Company (Applicant or AEP Transco) is proposing an amendment to the Dennison-Yager 138 kV Transmission Line Rebuild Project, which was approved by the Ohio Power Siting Board on May 4, 2017, in Case No. 16-0534-EL-BTX. Proposed adjustments are proffered following final detailed engineering, land surveying, and property owner discussions regarding the approved route. None of the adjustments involve new property owners, and, fewer overall parcels would be crossed. The type of transmission equipment would not change. The Applicant states that the economic impact would not change as a result of these adjustments. The need for the facility and grid impacts associated with the facility remain the same as was approved in Case No. 16-0534-EL-BTX.

Revisions requested in this amendment can be placed into three categories: engineering adjustments, shifts within existing right-of-way, and, rerouting outside of the existing right-of-way. Construction began on this project in December 2017, and has since been halted in areas impacted by the following requested modifications.

Engineering Adjustments

There are six proposed engineering adjustments. The Applicant states that these adjustments are the result of actual field conditions and final engineering of structure locations and conductor clearances. The structure location shifts range from four to 33 feet from the previously approved preferred centerline as follows:

- Adjustment 1 involves a shift of structures 3 through 7, and was the result of final engineering of structures near a driveway and Little Stillwater Creek. The shifts range from

four to 30 feet away from the approved centerline over a span of 0.2 miles. The Applicant states that there are no new significant environmental impacts nor are there any additional landowners or new right-of-way needed for these adjustments. Further, all landowners have signed easements that include these adjustments.

- Adjustment 2 involves a shift of structures 75 through 77, and was the result of final geotechnical survey data and engineering of structures along the existing centerline. The shifts range from six to nine feet away from the approved centerline over a span of 600 feet. The Applicant states that there are no new significant environmental impacts nor are there any additional landowners or new right-of-way needed for these adjustments. Further, the landowner has signed an easement that includes these adjustments.
- Adjustment 3 involves a shift of structures 81 through 85, and was the result of final engineering of structure 81 to facilitate clearance requirements from the existing energized transmission line during construction. The shift of structure 81 subsequently affected the location of structures 82 through 85 along that portion of the approved route. The shifts range from five to 29 feet away from the approved centerline over a span of 900 feet. The Applicant states that there are no new significant environmental impacts nor are there any additional landowners or new right-of-way needed for these adjustments. Further, all landowners have signed easements that include these adjustments.
- Adjustment 4 involves a shift of structure 116 and was the result of final survey site data. The shift results in a new structure location 11 feet away from the existing approved route. The Applicant states that there are no new significant environmental impacts nor are there any additional landowners or new right-of-way needed for this adjustment. Further, the landowner has signed easements for this adjustment including the new transmission line centerline.
- Adjustment 5 involves a shift of structure 131 and was the result of final engineering at the Patterson Road (State Route 151) crossing. The shift results in a new structure location eight feet away along the existing approved route. The Applicant states that there are no new significant environmental impacts nor are there any additional landowners or new right-of-way needed for this adjustment. Further, the landowner has signed an easement for this adjustment.
- Adjustment 6 involves a shift of structures 137 through 144, and was the result of final engineering of structures at the edge of a property, crossing Patterson Road (State Route 151) and crossing a stream. The shifts range from five to 33 feet away from the approved centerline over a span of approximately 0.3 miles. The Applicant states that there are no new significant environmental impacts nor are there any additional landowners or new right-of-way needed for these adjustments. Further, all landowners have signed easements for these adjustments.

Shifts within the Existing right-of-way

There are three instances of shifts to the approved preferred route, either back to the existing centerline or offset to the other side of the existing centerline. The Applicant states that these adjustments are all located within existing right-of-way, and were made to accommodate property owners. The requested shifts are as follows:

- Shift 1 involves placing the new line back onto the existing centerline for 0.36 miles between structures 57 and 64. The Applicant states that the proposed shift is within the existing right-of-way and would not add any additional parcels or landowners. No new significant environmental impacts are anticipated.
- Shift 2 involves placing the new line back onto the existing centerline for 0.34 miles between structures 67 and 74. The Applicant states that the proposed shift is within the existing right-of-way and would not add any additional parcels or landowners. No new significant environmental impacts are anticipated.
- Shift 3 involves placing the new line on the opposite side of the existing centerline for 1.1 miles between structures 85 and 107. The Applicant states that the proposed shift is within the existing right-of-way and would not add any additional parcels or landowners. No new significant environmental impacts are anticipated.

Rerouting outside the Existing right-of-way

There are three instances of rerouting the approved preferred route outside of the existing right-of-way. The Applicant states that these re-routes are necessary in order to accommodate property owner wishes, to avoid physical barriers, and to further protect natural resources. The requested reroutes are as follows:

- Reroute 1 involves a shift between structures 7 and 12 for a total span of 0.2 miles. This reroute would further minimize property impacts by placing the line nearer the edge of properties, and also avoid paralleling Little Stillwater Creek. The reroute in this location would place the line approximately 400 feet east of the approved route at its furthest point. The Applicant states that there are no new significant environmental impacts nor are there any additional landowners or parcels required for this adjustment. Further, the Applicant states that all landowners were agreeable to this reroute and have signed easements necessary for the new 0.2 mile reroute.
- Reroute 2 involves creating a shorter route between structures 14 and 22 for a total of approximately 0.3 mile. This reroute would move further away from a wastewater treatment plant and eliminate multiple crossings of Little Stillwater Creek. The reroute in this location would place the line approximately 700 feet east of the approved route at its furthest point. The Applicant states that there are no new significant environmental impacts nor are there any additional landowners or parcels required for this adjustment. Further, the Applicant states that, with the exception of one landowner currently in negotiations, all landowners were agreeable to this reroute and have signed easements necessary for the new 0.3 mile reroute.
- Reroute 3 was withdrawn from consideration for this application for an amendment by the Applicant on May 17, 2019.
- Reroute 4 involves shifting structures 122D and 123 for a total span of 0.1 mile, changing the angle of the line crossing at Patterson Road. The Applicant states that this reroute would eliminate an angle structure, avoid placing a crane pad on sloped terrain, and accommodate property owner preference. Structure 123 was constructed prior to this application for an amendment. The reroute in this location would place the line approximately 150 feet

southeast of the approved route at its furthest point. No new significant environmental impacts are anticipated. The Applicant states that the proposed reroute would not add any additional parcels or landowners. Further, the Applicant states that the landowner was agreeable to this reroute and has signed an easement necessary for this reroute.

Application Review

Social Impacts

In Staff's opinion, the proposed adjustments are not expected to significantly alter existing land uses, including agricultural land, or to increase the estimated capital costs for the project. With these adjustments, the total number of structures identified within 200 feet of the right-of-way dropped from 99 to 73, including a drop in single family residences from 41 to 30. Two additional residences would be located within 100 foot of the amended route (from 2 to 4). One rental property would be located approximately 20 feet closer, from approximately 55 feet from centerline to 35 feet. However, the Applicant states that the line has been engineered to allow tighter right-of-way width in this area so that no residences would be expected to be removed. The number of parcels crossed would drop from 59 to 55 with this amendment. These alignment sections have been studied for the presence of archaeological and historic impacts and no significant adverse impacts on cultural resources are expected. Staff finds that the purpose of adjustments, shifts and reroutes to avoid features not known at the time of the approval, and at the request of affected property owners is reasonable.

Surface Waters

Twenty-one streams were identified within the survey corridor of the approved preferred route. Fourteen of these streams would be crossed, including eight perennial streams, four intermittent streams, and two ephemeral streams. The approved route right-of-way contained 3,122 linear feet of stream crossings, including 2,487 linear feet of perennial streams. The proposed adjusted route crosses 13 streams, including seven perennial streams, four intermittent streams, and two ephemeral streams. The proposed adjusted route would result in a reduction of two access road stream crossings. The proposed adjusted route right-of-way contains 2,886 linear feet of streams, including 2,547 linear feet of perennial streams.

Forty-four wetlands were identified within the survey corridor of the approved preferred route, with 7.05 total acres of wetland within the right-of-way. The approved route crosses 23 wetlands for a total of 2,968 linear feet of wetland crossings. The proposed adjusted route crosses 7 additional wetlands for a total of 4,100 linear feet of wetland crossings. The proposed adjusted route right-of-way contains approximately 9.14 acres of wetlands. The proposed adjusted route would result in a reduction of one access road wetland crossing. All delineated wetlands are category 1 and category 2 wetlands.

Adherence to the conditions of the original certificate as well as implementation of the Storm Water Pollution Prevention Plan would minimize impacts to surface water resources that would occur as a result of the proposed adjustments.

Threatened and Endangered Species

The proposed adjustments would not result in increased impacts to listed wildlife species. Adherence to the conditions of the original certificate would minimize impacts to listed species.

Recommended Findings

Staff recommends that the Board approve the application, provided that the following conditions are satisfied.

Conditions:

- (1) The Applicant shall continue to adhere to all conditions of the Opinion, Order, and Certificate in Case No. 16-0534-EL-BTX, as amended through this application.
- (2) The Applicant shall not undertake construction on Reroute 3, originally proposed in this Amendment application. Further, the Applicant shall notify Staff if it decides to construct the Reroute 3 segment as originally approved in the Opinion, Order, and Certificate issued in Case No. 16-0534-EL-BTX.

This foregoing document was electronically filed with the Public Utilities

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Case No(s). 18-1856-EL-BTA

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