

FILE

**OPSB Staff Report of Investigation**

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Case No.: 10-828-EL-BLN  
Project: 138 kV Line – Substation No. 11 to Substation No. 4 Hamilton, OH  
Applicant: The City of Hamilton

Report Date: July 6, 2010

Automatic Approval Date: July 14, 2010 (Expedited Letter of Notification process)

Waiver Requests: None

Inspection Date(s): June 24, 2010  
Staff Assigned: J. Pawley, E. Steele, D. Rostofer

**Summary of Staff Recommendations (see report text for discussion):**

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

Projected Docket Closure Date (if approved by the Board): April 30, 2013

**Investigation Report**

**Project Description:** This project consists of providing 138 kV service from Hamilton Substation No. 11 to Hamilton Substation No. 4, involving approximately 920 feet of single circuit 138 kV transmission line on wood monopole structures. The proposed route occupies existing city of Hamilton right-of-way along SR 4/Dixie Highway and Hooven Avenue. Approximately 675 feet of existing 138 kV transmission line along Clinton Avenue will be abandoned and removed.

**Site Description:** This project is located within the City of Hamilton in Butler County, Ohio. The proposed line is located in a predominately commercial setting with some residences nearby, along Hooven Avenue. There are several existing overhead utility lines in the area, a railway and a state highway (SR 4/Dixie Highway). There are no agricultural parcels affected by this project.

**Discussion/Comments/Concerns:** This project lies within the known range of the state and federally endangered Indiana bat (*Myotis sodalis*), the state threatened bald eagle (*Haliaeetus leucocephalus*), and the following state endangered species: blue corporal dragonfly (*Ladona deplanata*), Kramer's cave beetle (*Pseudanophthalmus kramer*), the Ohio cave beetle (*Pseudanophthalmus ohioensis*), and the cave salamander (*Eurycea lucifuga*). Except for the Indiana bat and bald eagle, the project is not likely to impact these species due to the mobility and/or lack of suitable habitat.

Indiana bat: There is a positive capture record within 5 miles of the boundaries of the project, however, there are no known or suspected hibernacula located within 10 miles of the project. The Applicant has indicated that some suitable summer roosting habitat would be removed through trimming of trees along the project corridor. ODNR-DOW is requiring the Applicant to cut suitable summer roosting habitat between September 30

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and April 1. Additionally, if the Applicant needs to cut suitable summer roosting habitat between April 2 and September 29, then ODNR-DOW will require the Applicant to perform a net survey in May or June to determine if Indiana bats are present.

Bald Eagle: A positive record for an active nest is located within 2 miles of the project area. Because the location of bald eagle activity frequently changes, ODNR-DOW has required the Applicant obtain an update on the status of bald eagle activity within the area prior to construction activities. If a nest is found within a half mile of the project site, then additional coordination with the ODNR-DOW and OPSB staff will be required.

There is a restaurant and other commercial establishments along SR 4/Dixie Highway adjacent to the proposed line. Additionally, there are several residential and small commercial parcels along Hooven Avenue on the opposite side of the road from the proposed line. Care will need to be taken to coordinate access/egress from adjacent driveways and parking.

With the Staff recommended conditions, the construction of this project should pose only minimal negative social and environmental impacts.

**Summary of Staff Recommended Conditions:**

- The Applicant will coordinate all traffic related issues with the appropriate entities to ensure that traffic will be maintained along public roadways and private drives during construction.
- That 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.
- That the Applicant shall conduct a pre-construction conference prior to the start of any project work (including vegetation clearing/trimming), which the Staff shall attend, to discuss how environmental concerns will be satisfactorily addressed. That at the time of the pre-construction conference, the Applicant shall have marked any r-o-w clearing limits as well as any trees that would exhibit suitable Indiana bat habitat.
- That, the Applicant shall remove or trim suitable Indiana bat summer roosting habitat trees between September 30 and April 1. If the Applicant must cut suitable summer roosting habitat during the summer months of April 2 to September 29, then the Applicant must conduct appropriate surveys (mist net) during May or June to establish whether the Indiana bat is present within the survey area and provide the results to OPSB staff and ODNR in coordination with the USFWS for review and approval prior to cutting.
- That prior to construction, the Applicant shall obtain an update on the status of bald eagle activity within the area from the ODNR-DOW Crane Creek Wildlife Research Station. If a nest is located within a half mile of the project area, then coordination with the ODNR-DOW and OPSB staff is required.