

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 Steamtown 138 kV Loop in Noble) 13-0452-EL-BLN
County, Ohio.)**

Members of the Board:

Todd Snitchler, Chairman, PUCO
David Goodman, Director, ODSA
Dr. Ted Wymyslo, Director, ODH
David Daniels, Director, ODA
Scott Nally, Director, Ohio EPA
Jim Zehringer, Director, ODNR
Jeffery J. Lechak, PE, Public Member

Peter Stautberg, State Representative
Sandra Williams, State Representative
Michael Skindell, State Senator
Bill Seitz, State Senator

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 29, 2013, 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 March 29, 2013, 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: 13-0452-EL-BLN
Project Name: Steamtown 138 kV Loop Project
Project Location: Noble County, Ohio
Applicant: American Electric Power Ohio Transmission Company
Application Filing Date: February 28, 2013
Filing Type: (**Expedited**) Letter of Notification
Inspection Date: March 15, 2013
Report Date: March 21, 2013
Automatic Approval Date: March 29, 2013
Waiver Requests: None
Staff Assigned: J. Pawley, D. Rostofer

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 install a 138 kV line to a new distribution substation (138/12 kV) in order to provide electrical service to a new energy facility being constructed in Noble County, Ohio by Mark West Energy Partners (Mark West or property owner). The new 138 kV line is 0.8 miles in length, and will be installed entirely on property owned by Mark West. There will be a total of seven structures installed.

Nature of Impacts

Site Description

The right-of-way for this new line has been previously cleared as associated site work for the gas processing facilities. The Applicant states that prior clearing was done by the property owner. The line will cross two streams, neither of which will need to be crossed by construction equipment. All structures would be located on hilltops, with the lower valley areas including the two streams to be spanned by the new 138 kV line.

Surface Waters

The electric transmission line right-of-way contains two streams, one of which is Barnes Run, a high-quality perennial stream. No pole structures are located within the 100-year flood zones of these streams. No wetlands are located within the right-of-way. Stream impacts would be avoided by accessing pole locations from either side of the streams. All woody vegetation has been cleared from the left descending bank of Barnes Run. Stumps that were left in place will help maintain bank stability. Because the slopes down to Barnes Run are so severe, and the structures will sit atop both valley peaks, Staff does not believe that all lower valley clearing was

necessary to construct this transmission line project, and recommends requiring that the Applicant develop a re-vegetation plan within the right-of-way/riparian corridor for Staff's review and approval.

Staff is unaware of the Applicant developing a construction access plan or Storm Water Pollution Prevention Plan (SWPPP) for this project. Appropriate sediment and erosion control devices have not been installed along areas of the cleared right-of-way or along the access routes. Staff recommends that the Applicant provide an access plan and SWPPP, and install appropriate sediment and erosion control devices before working in the right-of-way.

Threatened and Endangered Species

Suitable habitat for the state and federal endangered Indiana bat (*Myotis sodalis*) is located within the wooded areas surrounding the cleared right-of-way for this project. According to the property owner's environmental inspector, the electric transmission line corridor was cleared by a tree clearing subcontractor of Beaver Excavating during January and February of 2013. The timing of the tree clearing is consistent with seasonal tree cutting dates of September 30 through April 1 for the clearing of trees that exhibit suitable Indiana bat summer habitat.

Conclusion

Staff recommends automatic approval of this case on March 29, 2013.

Staff Recommended Conditions:

- (1) The Applicant shall obtain and comply with all applicable permits and authorizations as required by federal and state laws and regulations for any activities where such permit or authorization is required. Copies of such permits and authorizations, including all supporting documentation shall be provided to Staff.
- (2) The Applicant shall utilize BMPs 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. The installation shall be done in accordance with generally accepted construction methods and shall be inspected regularly.
- (3) Prior to construction, the Applicant shall provide Staff with a re-vegetation plan for the right-of-way/riparian corridor of Barnes Run, for review and approval and an access plan detailing access to each structure location.

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 13-0452-EL-BLN

Summary: Report of investigation electronically filed by Mr. Adam S Bargar on behalf of Staff of OPSB