

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 Public Need for the Groves–Bexley 138 kV Transmission Line Rebuild Project in Franklin County, Ohio.)))))))	Case Number 13-1330-EL-BLN
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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 July 12, 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 July 12, 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: 13-1330-EL-BLN
Project Name: Groves – Bexley 138 kV Transmission Line Rebuild Project
Project Location: Franklin County, Ohio
Applicant: American Electric Power Ohio Transmission Company
Application Filing Date: June 13, 2013
Filing Type: **(Expedited)** Letter of Notification
Inspection Dates: June 26, 2013
Report Date: July 3, 2013
Automatic Approval Date: July 12, 2013
Staff Assigned: J. Pawley, C. Burri

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 the Groves – Bexley 138 kV transmission line to improve and maintain the quality of electric service in the central Ohio area. The Applicant states that the project will address an overload identified by PJM in their 2009 RTEP study. The total length of the rebuilt 138 kV conductor circuit is approximately 4.4 miles. The cost of the overall project is estimated at \$5.7 million. Construction is expected to commence August 1, 2013, and be completed by June 1, 2014.

Site Description

The rebuilt 138 kV conductor circuit is proposed within existing AEP easements located in Franklin County, Ohio. Some landowner permissions will be needed for access to existing structures in order to minimize impacts to drainage ways, wetlands, and other sensitive areas. All land owners and applicable local public officials have been notified of the project. Significant crossings are predominately roadways, and include Interstate 70, Livingston Avenue, Main Street, and Broad Street. The surrounding area includes densely populated residential and commercial land uses in an urban setting. The existing transmission line is positioned in an existing 30-foot right-of-way.

Nature of Impacts

Social

The Applicant has proposed to construct the structure and line replacement within existing right-of-way. Therefore, potential impacts are expected to be largely confined to line stringing, tree trimming, and construction access, and should be temporary in nature. However, the Applicant

expects that 10-15 feet of additional right-of-way will be needed in some areas for construction and line clearances. The Applicant will coordinate any needed expansion of right-of-way with affected property owners prior to construction. The Applicant does not expect that any permanent structures or residences will need to be removed or moved as a result of this project. Vegetation will need to be trimmed and/or cleared in order to remove the existing poles and install new replacement pole structures.

The Applicant had a cultural resources survey performed for the route in May 2013. Due primarily to the presence of the existing 138 kV transmission line, no buildings/structures older than 50 years being located within the project corridor, and work limits positioned within the existing right-of-way, no additional archaeological/cultural resources survey work was recommended in the Phase I report.

Surface Waters

The electric transmission line right-of-way contains one stream. Five structures are currently located and proposed to be located in the floodplain. The 50-foot study corridor for this line contains five wetlands. All five wetlands were scored as low-quality wetlands (Category 1). 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.

Staff recommends that the Applicant be required to develop a construction access plan, which will be incorporated into a final Storm Water Pollution Prevention Plan (SWPPP). This plan should consider location of streams, wetlands, wooded areas, and sensitive plant species, as identified by the ODNR Division of Wildlife, and explain how impacts to all sensitive resources would be avoided or minimized during construction, operation, and maintenance.

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 anticipates submitting a Notice of Intent (NOI) for coverage under the Ohio EPA General National Pollutant Discharge Elimination System (NPDES) Permit. Coverage under the U.S. Army Corps of Engineers Nationwide 404 Permit for wetland and stream impacts is also anticipated.

Threatened and Endangered Species

Two federal and state listed species were listed as potentially occurring in Franklin County: the state and federal endangered Indiana bat (*Myotis sodalis*), and the bald eagle (*Haliaeetus leucocephalus*), which is a federal species of concern. Based on the type of construction activities proposed and lack of suitable habitat, these species and/or their suitable habitat would not be impacted by this project.

Conclusion

The Applicant's utilization of existing right-of-way for nearly the entire 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 July 12, 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. The Applicant shall provide a schedule of construction activities and acquisition of corresponding permits for each activity at the preconstruction conference.
- (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 and wetlands. The installation shall be done in accordance with generally accepted construction methods and shall be inspected regularly.
- (3) The Applicant shall have a construction and maintenance access plan based on final plans for the facility, access roads, and types of equipment to be used. Prior to commencement of construction, the Applicant shall submit the plan to Staff, for review and confirmation that it complies with this condition. This plan shall include all laydown areas, residential and environmentally sensitive area access points (walk in locations only), and any locations where vegetation clearing is required. The plan shall consider the location of residential fencing, private structures, streams, wetlands, wooded areas, conservation easement areas, and park lands.
- (4) The Applicant shall avoid threatened and endangered species and their habitat, where possible. If the Applicant finds that threatened and endangered species impacts are possible, then the Applicant shall coordinate with ODNR and the USFWS for clearance.
- (5) The Applicant shall avoid, where possible, or minimize to the maximum extent practicable, any damage to field tile drainage systems and soils resulting from construction, operation, and/or maintenance of the facility in agricultural areas. Damaged field tile systems shall be promptly repaired to at least original conditions at the Applicant's expense. If applicable, excavated topsoil shall be segregated and restored in accordance with the Applicant's lease agreement with the landowner. Severely compacted soils shall be plowed or otherwise de-compacted, if necessary, to restore them to original conditions unless otherwise agreed to by the landowner.
- (6) The Applicant shall remove all temporary gravel and other construction staging area and access road materials after completion of construction activities, as weather permits, unless otherwise directed by the landowner. Impacted areas shall be restored to preconstruction conditions in compliance with the NPDES permit(s) obtained for the project and the approved SWPPP created for this project.

- (7) 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 30 days prior to work on the affected property.
- (8) The Applicant shall provide to Staff a map of areas identified for existing right-of-way expansion for this project prior to the commencement of construction.

This foregoing document was electronically filed with the Public Utilities

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Case No(s). 13-1330-EL-BLN

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