

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

**In the Matter of the Letter of Notification Application by )  
American Transmissions Systems, Incorporated for a )  
Certificate of Environmental Compatibility and Public ) Case Number:  
Need for the Chamberlin-Mansfield 345 kV ) 13-834-EL-BLN  
Transmission Line Loop to Hanna Substation**

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 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.

The application will be automatically approved on **July 11, 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 from the date of suspension.

Any concerns you or your designee 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 11, 2013**, which is the automatic approval date. To contact the Executive Director with concerns, 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](mailto:ContactOPSB@puc.state.oh.us)

## OPSB STAFF REPORT OF INVESTIGATION

**Case Number:** 13-834-EL-BLN  
**Project Name:** Chamberlin-Mansfield 345 kV Transmission Line  
Loop to Hanna Substation  
**Project Location:** Rootstown Township, Portage County, Ohio  
**Applicant:** American Transmission Systems, Incorporated  
**Application Filing Date:** 15 April 2013  
**Filing Type:** Letter of Notification  
**Inspection Dates:** 10 & 30 May 2013  
**Report Date:** 2 July 2013  
**Automatic Approval Date:** 11 July 2013  
**Projected Docket Closure Date:** 31 May 2016  
**(if approved by the Board)**  
**Waiver Requests:** none  
**Staff Assigned:** J. O'Dell, D. Rostofer & C. Burri

### Summary of Staff Recommendations (see discussion below):

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

### Project Description

This project involves the installation 0.95 miles of new 345 kV transmission line and the relocation of 0.3 miles of single circuit 345 kV line. Additionally, the Hanna Substation requires a minor expansion of approximately 10%. Upon completion, this project would increase import capability and voltage stability in the area. Overall reliability would also be enhanced, while exposure of a critical 345 kV line would be decreased.

### Site Description

The project is located entirely within existing right of way; however, new easements would be required to remove trees on two adjacent properties to the north. These properties are located on both sides of New Milford Road. Tree removal on these properties would be necessary as some trees could present a danger to the new line. Land use along the existing corridor is generally comprised of agricultural and rural residential uses.

A total of four streams and 16 wetlands were identified within the construction corridor. None of the wetlands in the project area scored as high quality wetlands. High quality wetlands are typically indicated as Category 2/3 or Category 3. Structure 43011 is located just outside the

boundary of Wetland 14. The Applicant plans to move this structure an additional 20 feet to the east to avoid potential impacts to this wetland.

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. If headwater streams or wetlands need to be crossed, it is the standard practice of the Applicant to use timber matting to avoid or minimize impacts. The Applicant would not conduct mechanized clearing in wetlands or within 25 feet of any stream channel. Stumps would be left in place to help maintain bank stability. To further reduce impacts to streams and wetlands, tree clearing will be conducted by hand and limited to trees that pose a danger to the transmission line.

The Applicant will 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 explains 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 for coverage under the Ohio EPA General National Pollutant Discharge Elimination System Permit. Coverage under the U.S. Army Corps of Engineers Nationwide Permit 12 for wetland and stream impacts is also anticipated.

Federal and state listed species and/or their suitable habitat that may be found in the project area include the following species: the state and federal endangered Indiana bat (*Myotis sodalis*); the state endangered pointed sallow (*Viepiglaea apiata*) moth species; the federal and state endangered Mitchell's satyr butterfly (*Neonympha mitchellii*); the federal candidate and state endangered Eastern massasauga rattlesnake (*Sistrurus catenatus*); the federal species of concern bald eagle (*Haliaeetus leucocephalus*); the state endangered Eastern pondmussel (*Ligumia nasuta*); the state endangered American emerald dragonfly (*Cordulia shurtleffi*); the state endangered frosted whiteface dragonfly (*Leucorrhinia frigida*); the state endangered brush-tipped emerald dragonfly (*Somatochlora walshii*); the state endangered chalk-fronted corporal dragonfly (*Ladona Julia*); the state endangered black bear (*Ursus americanus*); and the state endangered bobcat (*Lynx rufus*).

Based on the type of construction activities proposed, these species and/or their suitable habitat would not be impacted by this project except for the Indiana bat, pointed sallow moth, Mitchell's satyr butterfly, American emerald dragonfly, frosted whiteface dragonfly, brush-tipped emerald dragonfly, and the chalk-fronted corporal dragonfly.

In order to reduce or avoid impacts to the Indiana bat, Staff would require that the Applicant adhere to seasonal tree cutting dates of September 30 through April 1 for the clearing of trees that exhibit suitable Indiana bat summer habitat. If it is not practical to for the Applicant to adhere to the seasonal cutting restrictions, then the Applicant shall coordinate with USFWS and ODNR for clearance

To avoid impacts to the moth, butterfly, and dragonfly species, ODNR has indicated that the Applicant should avoid wetland impacts. Staff would require that the Applicant avoid wetland impacts, where possible. If the Applicant finds that wetland impacts are possible, then the Applicant shall coordinate with ODNR for clearance.

**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 not conduct mechanized clearing in wetlands or within 25 feet of any stream channel;
3. The Applicant shall conduct a pre-construction conference(s) prior to the start of any project work (including any vegetation clearing), which the Staff shall attend, to discuss how environmental concerns will be satisfactorily addressed;
4. The Applicant shall adhere to seasonal cutting dates of September 30 through April 1 for removal of suitable Indiana bat habitat trees, if avoidance measures cannot be achieved. If it is not practical to for the Applicant to adhere to the seasonal cutting restrictions, then the Applicant shall coordinate with USFWS and ODNR for clearance;
5. The Applicant shall avoid wetland impacts, where possible. If the Applicant finds that wetlands impacts are possible, then the Applicant shall coordinate with ODNR for clearance;
6. 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;
7. Prior to the pre-construction conference, the Applicant shall submit to the Staff, for review and approval, a project construction access plan. 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;

8. That the Applicant shall avoid, where possible, any damage to field drainage systems, and/or water and sewer lines resulting from construction of the facility. Damaged systems and lines shall be repaired to at least original conditions at Applicant's expense. Severely compacted soils shall be plowed, if necessary, to restore them to original condition;
9. That the Applicant shall remove all temporary gravel and other construction laydown area and access road materials shortly after completing construction activities.

## **Conclusion**

Access along the right of way is readily available for construction. Impacts to sensitive resources would primarily be avoided by strict adherence to an access plan. During its investigation, Staff has reviewed the Applicant's preliminary access plan. Large amounts of vegetative clearing are not required. The construction of this project should pose only minimal negative social and ecological impacts.

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**7/3/2013 3:22:41 PM**

**in**

**Case No(s). 13-0834-EL-BLN**

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