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 Canton Area Improvements Project in Stark County, Ohio.	**)** **)** **)** **)** **)**	**Case Number 13-0757-EL-BLN**

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 September 17, 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 September 17, 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:	13-0757-EL-BLN
Project Name:	Canton Area Improvements Project
Project Location:	Stark County, Ohio
Applicant:	American Electric Power Ohio Transmission Company
Application Filing Date:	June 18, 2013
Filing Type:	Letter of Notification
Inspection Date:	August 22, 2013
Report Date:	September 9, 2013
Automatic Approval Date:	September 17, 2013
Waiver Requests:	None
Staff Assigned:	J. Pawley, C. Burri, G. Zeto

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 second 138 kilovolt (kV) circuit to existing transmission structures in Stark County, Ohio. A vacant open arm position on these existing structures will be utilized for the new circuit. Due to loading and engineering constraints, the Applicant will need to replace 11 structures in total with tubular steel double circuit pole structures and add one structure. There are three components of this project: Phase II of the South Canton-West Canton 138 kV line improvement component, the Belden Village 138 kV extension component, and the West Canton 138 kV tie-line component. The total length of the entire project is approximately 4.6 miles. The project is expected to cost approximately $3.3 million. Construction is expected to commence in October, 2013, and be completed by May, 2014, in order to meet PJM outage timelines. Phase I of the Canton Area Improvements (Case No. 13-0698-EL-BLN) was completed in May, 2013.

Site Description

The new 138 kV conductor circuit is proposed within existing AEP easements located in Stark County, Ohio. Some adjacent landowner permissions will be needed for access to existing structures in order to minimize impacts to driveways, residential lawns, drainage ways, wetlands, etc. All applicable public officials have been notified of the project. The circuit crosses Interstate 77 and several other roadways, railroads, streams and wetlands. The area where this project will occur is densely populated and built-up with roadways and parking lots scattered around residential, commercial, industrial and public service land uses.

Need

PJM Regional Transmission Expansion Plan

PJM Interconnection LLC (PJM) is the Regional Transmission Organization charged with planning for upgrades to the regional transmission system in Ohio. PJM annually issues the Regional Transmission Expansion Plan (RTEP) report. The RTEP analyzes reliability criteria, operational performance of the transmission system, and economic and environmental factors. The RTEP provides for the construction of expansions and upgrades of the PJM transmission system, as needed to maintain compliance with reliability criteria and, when appropriate, to enhance the economic and operational efficiency of wholesale electricity markets in the PJM Region.

The proposed project will address reliability concerns in the Canton, Ohio area. The reliability concerns were presented in the 2009 PJM RTEP. This project is a baseline RTEP upgrade which will resolve a PJM, North American Electric Reliability Corporation, ReliabilityFirst, or transmission owner reliability criteria violation. Baseline projects are required to be constructed to keep the bulk electric system operating reliably.

Nature of Impacts

Social

The Applicant has proposed to construct the entire line within existing right-of-way. Therefore, potential impacts are expected to be largely confined to line stringing and construction access and should be temporary in nature. Aesthetic impacts are expected to be similar to the present, as there is an existing 138 kV circuit on one side of the existing towers. Eleven steel lattice towers will be replaced with steel monopole structures, which will greatly reduce the footprint for the eleven supporting structure locations.

There are no Agricultural District parcels identified in the study corridor. The majority of the route is located in areas comprised of residential and commercial land uses. The existing right-of-way has been maintained, but there are several residential and commercial developments that appear to have been built directly adjacent to the right-of-way, and in some instances, parking and driveways are located directly underneath the existing line, as well as storage structures and screening trees. New poles will need concrete trucks, a crane for assembly, and bucket trucks or temporary structures to string the new circuit conductors from structure to structure. Roadway, driveway, and parking lot closures will need to be carefully coordinated with area residents, businesses, as well as public and emergency services. The Applicant will ensure that the project meets all National Electrical Safety Code standards for clearance between the line sag and any encroaching structures. No deconstructed tower materials should be stored in residential areas.

The Applicant had a Phase I archaeological survey performed for the routes in March, 2013. Due primarily to the temporary nature of the access roads, limited structure replacement, and work within existing right-of-way, no additional archaeological survey work was recommended in the Phase I report. The Ohio Historic Preservation Office has concurred with this recommendation.

Surface Waters

The electric transmission line right-of-way contains 12 streams, including an intermittent tributary of Beal Run and several intermittent tributaries of Hurd Run. Stream 08, an intermittent

ditch, passes between structure #14 and is likely to be impacted during structure replacement. The remaining streams are not likely to be impacted by any structure replacement, conductoring, or reconductoring activity. The proposed new circuit would not cross 100-year flood zone areas.

The right-of-way also contains 17 wetlands. Wetland 11 surrounds structure #19, and Wetland 13 surrounds structure #21. Both wetlands are likely to be impacted during replacement of the structures. The remaining wetlands are not likely to be impacted by any structure replacement, conductoring, or reconductoring activity.

If headwater streams or wetlands need to be crossed, it is standard practice of the Applicant to use timber matting to avoid or minimize impacts. All wetlands would be clearly staked to reduce 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.

OPSB Staff has reviewed the Applicant's preliminary construction access plan, which would be incorporated into the final Storm Water Pollution Prevention Plan (SWPPP). Based on OPSB Staff's review of this plan, the Applicant has appropriately considered locations of streams, wetlands, and wooded areas, and explains how impacts to all sensitive resources would be avoided or minimized during construction, operation, and maintenance of this project. 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. A copy of the SWPPP would be filed with the Stark County Soil and Water Conservation District.

Threatened and Endangered Species

The federal and state listed species and/or their suitable habitat that may be found in the project area include the state and federal endangered Indiana bat (*Myotis sodalis*).

Some screening trees would need to be trimmed and/or removed from the right-of-way as they are encroaching on the existing circuit. In order to reduce or avoid impacts to the Indiana bat, Staff would require that the Applicant adhere to seasonal tree cutting dates of October 1 through March 31 for the clearing of trees that exhibit suitable Indiana bat summer habitat. If the Applicant can not adhere to the seasonal cutting restrictions for Indiana bat habitat trees, the Applicant shall coordinate with USFWS and ODNR for clearance.

Conclusion

The Applicant's utilization of existing right-of-way for the entire length of the project 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 September 17, 2013.

Staff Recommended Conditions:

(1) Prior to the commencement of construction activities that require permits or authorizations by federal or state laws and regulations, the Applicant shall obtain and comply with such permits or authorizations. The Applicant shall provide copies of permits and authorizations, including all supporting documentation, to Staff within seven days of issuance or receipt by the Applicant;

(2) The Applicant shall utilize best management practices 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 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 seven days prior to work on the affected property;

(4) Any damage to driveways, roadways and/or residential lawns as a result of this project shall be restored upon completion of construction;

(5) The Applicant shall adhere to seasonal cutting dates of October 1 and March 31 for removal of suitable Indiana bat habitat trees, if avoidance measures can not be achieved;

(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) That the Applicant shall review structure replacement locations for abandoned mines or wells. If during the course of this review abandoned underground coal mines and/or orphaned oil and gas wells are discovered at the project site, the Applicant shall coordinate with the Ohio Department of Natural Resources and OPSB Staff on the next course of remedy.

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