

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 Kilgore-Polo Road 138 kV ) 14-0787-EL-BLN  
Transmission Line Project in Carroll County, Ohio. )**

Members of the Board:

Chairman, Public Utilities Commission	Ohio House of Representatives
Director, Development Services Agency	Ohio Senate
Director, Department of Health	
Director, Department of Agriculture	
Director, Environmental Protection Agency	
Director, Department of Natural Resources	
Public Member	

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 **June 19, 2014**, 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 **June 19, 2014**, 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,



Patrick Donlon  
Interim 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:** 14-0787-EL-BLN  
**Project Name:** Kilgore-Polo Road 138 kV Transmission Line Project  
**Project Location:** Carroll County, Ohio  
**Applicant:** American Electric Power Ohio Transmission Company  
**Application Filing Date:** May 21, 2014  
**Filing Type:** **Expedited** Letter of Notification  
**Inspection Dates:** June 9, 2014  
**Report Date:** June 11, 2014  
**Automatic Approval Date:** June 19, 2014  
**Applicant's Waiver Requests:** None  
**Staff Assigned:** J. Pawley, D. Rostofer, J. Cross

### 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 build a new 138 kV (kilovolt) transmission line from an existing First Energy 138 kV transmission line for service to a natural gas processing facility (Kilgore Compressor Facility – for Cardinal Gas). The cost of the overall project is estimated at \$676,000. Construction of the project is expected to commence July 15, 2014, and be completed by September 15, 2014. The project will require seven new galvanized steel pole structures: six H-frame structures and one “dead-end” structure.

### Site Description

The project will require a new 120-foot wide permanent right-of-way. The project centerline will utilize a portion of acquired right-of-way on Cardinal Gas property. Other land uses along the route primarily include residences, forested areas and agricultural land. The Applicant states that crop production, while not possible at pole locations, can continue between the poles within the right-of-way. There were no Agricultural District parcels identified in the project limits. The transmission line will extend from an existing First Energy 138 kV line approximately 1.3 miles east to the Kilgore facility.<sup>1</sup>

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<sup>1</sup> FirstEnergy will make a subsequent OPSB filing to construct the transmission tap structure(s) connecting the existing 138 kV transmission line to the Kilgore-Polo Road 138 kV transmission line.

## **Nature of Impacts**

### *Social*

The proposed project area includes wooded and agricultural areas, rural residential homes, and the industrial compressor facility site. The new transmission line will be visible to adjacent residences. The Applicant conducted a Phase I cultural resources management survey for the route in May, 2014. The project will not involve the removal or demolition of any buildings. Additionally, subsurface testing, surface collection and visual inspection did not result in the identification of any cultural resources. No additional cultural resources survey work was recommended in the Phase I report.

### *Surface Waters*

The electric transmission line right-of-way crosses Dining Fork Creek and seven primary headwater stream segments, totaling 982 linear feet. No structures are located within the 100-year flood zones of these streams. The right-of-way also crosses eight wetlands, totaling 1.4 acres. Stream impacts would be avoided by accessing pole locations from either side of the streams, where practicable. Timber matting may be utilized to temporarily cross some streams and wetlands for access to pole locations and to reduce and/or eliminate permanent impacts to these water resources. Wetlands would be clearly staked prior to the commencement of any clearing in order to minimize incidental vehicle impacts. No ponds are located within the project right-of-way and the project does not traverse through any conservation areas, scenic rivers, or recreation lands.

The Applicant has provided a construction access plan, which has been incorporated into a final Stormwater Pollution Prevention Plan (SWPPP), to staff for review. Staff has determined that the Applicant considered location of streams, wetlands, wooded areas, and sensitive plant species, as identified by the ODNR, and has illustrated appropriately how impacts to all sensitive resources would be avoided or minimized during construction in this plan.

The Applicant will utilize best management practices (BMPs), as outlined in the SWPPP, to minimize impacts to surface waters. The Applicant will submit a Notice of Intent to the Ohio Environmental Protection Agency (OEPA) for coverage under the OEPA National Pollutant Discharge Elimination System (NPDES) General Permit OHC000004 for Storm Water Discharge Associated with Construction Activities. Coverage under the U.S. Army Corps of Engineers (USACE) Nationwide Permit program is not required.

### *Threatened and Endangered Species*

Preferred summer roosting habitat for the federal and state endangered Indiana bat (*Myotis sodalis*) is located in the project area. A mist-net survey has been completed for this project and no Indiana bats were captured during this survey. Based on the absence of Indiana bats during the mist-net surveys, the U.S. Fish and Wildlife Service has concluded that the Applicant may cut trees that exhibit suitable Indiana bat summer habitat during the period of April 1 to September 30 for calendar years 2014-15. The Applicant plans to remove approximately seven acres of trees in the proposed right-of-way during the summer of 2014.

## **Conclusion**

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 June 19, 2014.

### **Staff Recommended Conditions:**

1. 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.
2. The Applicant shall not conduct mechanized clearing within 25 feet of any stream channel.
3. That the Applicant shall avoid, where possible, any damage to field drainage systems resulting from construction of the facility in agricultural areas. Damaged systems 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.

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

**Commission of Ohio Docketing Information System on**

**6/11/2014 2:00:42 PM**

**in**

**Case No(s). 14-0787-EL-BLN**

Summary: Staff Report of Investigation electronically filed by Mr. Steve Irwin on behalf of Staff of OPSB