

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

In the Matter of the Letter of Notification Application)
of Clean Energy Future - Trumbull, LLC for the)
Trumbull Energy Center Electrical Interconnection) **17-0819-EL-BLN**
Project)

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 Ohio Power Siting Board (Board) rules. The accelerated certificate application in this case is subject to an automatic approval process as required by Ohio Revised Code (R.C.) 4906.03 and Ohio Administrative Code 4906-6-04.

Staff recommends the application for automatic approval on September 18, 2017, unless suspended by the Board, an administrative law judge, or the chairperson or executive director of the board for good cause shown. If suspended, the Board must render a decision on the application within 90 days from the date of suspension.

Please present any concerns you or your designee may have with this case to my office at least four business days prior to September 18, 2017, which is the automatic approval date.

Sincerely,



Patrick Donlon
Director, Rates and Analysis
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215
(614) 644-8932

OPSB STAFF REPORT OF INVESTIGATION

Case Number: 17-0819-EL-BLN
Project Name: Trumbull Energy Center Electrical Interconnection
Project Location: Trumbull County
Applicant: Clean Energy Future-Trumbull, LLC
Application Filing Date: July 19, 2017
Filing Type: Letter of Notification
Inspection Date: July 25, 2017
Report Date: September 11, 2017
Recommended Automatic Approval Date: September 18, 2017
Applicant's Waiver Requests: None
Staff Assigned: A. Holderbaum

Summary of Staff Recommendations (see discussion below):

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

Project Description

Clean Energy Future-Trumbull, LLC (Applicant) proposes to construct an electrical interconnection from the proposed Trumbull Energy Center (Case No. 16-2444-EL-BGN) to the existing FirstEnergy 345 kilovolt (kV) Highland-Hanna circuit in Trumbull County, Ohio. The electrical interconnection would consist of a 345 kV electric transmission line extending approximately 0.25 mile and a new 3-breaker ringbus switchyard. The proposed 3-breaker ringbus switchyard would be located on a 4-acre site adjacent to the FirstEnergy 345 kV Highland-Hanna circuit. Three steel monopole structures would be utilized to support the proposed transmission line.

The Applicant proposes to begin construction during the first quarter of 2018 and place the line in-service by the fourth quarter of 2019. The Applicant estimates the total cost of the project at \$9.29 million.

Site Description

The transmission line would extend south for approximately 200 feet from the proposed Trumbull Energy Center collector bus to the first monopole structure, then turn east approximately 500 feet to the second monopole structure, and then turn southeast for 300 feet to the final monopole where they will extend a final 300 feet to the proposed utility switchyard. A 100-foot wide right-of-way would be utilized for the transmission line. The Applicant would construct two access roads for construction of the proposed transmission line – one for access to the first two monopole structures

and the second for access to the third monopole structure. The Applicant would use two access roads in order to avoid impacts to Mud Creek and associated wetlands.

The surrounding land use is a mix of industrial development, utility infrastructure, and forested area. The proposed project would be located entirely on property currently under an option to purchase agreement by the Applicant within the village of Lordstown. Prior to construction, the Applicant would exercise its options and purchase the property. After construction is complete, the Applicant would transfer the utility switchyard and associated access road to FirstEnergy while maintaining ownership of the transmission line right-of-way and the two access roads associated with the proposed transmission line. No temporary easements would be required from adjacent property owners for access roads or laydown areas.

Basis of Need

The Applicant states the project is necessary in order for the proposed Trumbull Energy Center to connect to the transmission grid in order to provide energy to the market. In February 2016, the Applicant received the completed PJM Feasibility Study for the proposed Trumbull Energy Center project. The study confirmed the feasibility of interconnecting the Trumbull Energy Center to the FirstEnergy Highland-Hanna circuit.

Socioeconomic Impacts

The proposed transmission line would not intersect any roads or bridges. The Applicant sent notification about the project to area public officials and affected property owners. Temporary easements would not be required from adjacent property owners for access roads or laydown areas. One residential neighborhood is located 0.3 mile east of the proposed route with a few scattered residences located to the north and south of the proposed route. There would be no public access to the proposed electrical interconnection. The Applicant would install a security fence around the utility switchyard with a locked gate to control access.

Agricultural Land

The proposed project is not located within the limits of an agricultural district or land being utilized for agricultural purposes.

Cultural Resources

The Applicant completed a cultural resources literature review for the area of potential effects as a Phase I archaeological investigation for the adjacent proposed Clean Energy Future-Lordstown Center (Case No. 14-2322-EL-BGN). These studies encompassed the entire Trumbull Energy Center electrical interconnection and utility switchyard sites. The investigation identified one cultural find possessing no significant archaeological value. No cultural resource landmarks or historic structures are located within the area. Due to the dense vegetation and forest surrounding the utility switchyard and all three steel monopole structures, no aesthetic impacts to cultural resources are anticipated. The Applicant submitted the results of the literature review to the Ohio History Connection (OHC) on April 28, 2017. The OHC concluded that no further coordination is required.

Surface Waters

The project area contains five streams including one perennial stream (Mud Creek), one intermittent stream, and three ephemeral streams. Combined, these streams total 4,729 linear feet

within the study area. No streams would be crossed by construction equipment. However, Mud Creek would be spanned by the transmission line. Staff recommends that no mechanized clearing occur within 25 feet of any stream, and that trees in this area be cleared only if they are tall enough to have the potential to interfere with safe construction and operation of the line.

The project area contains 17 wetlands including 16 Category 2 wetlands and one Category 1 wetland. Combined, these wetlands total 35.362 acres within the study area. The Applicant states that a total of 0.004 acre of wetland fill would occur as a result of construction as well as 5.25 acres of tree clearing. No structures would be placed in wetlands or floodplains. However, clearing would occur around Mud Creek with a total of 0.5 acre of clearing occurring around Mud Creek and its associated wetlands and floodplain for the transmission line right-of-way.

The Applicant has submitted a Notice of Intent for coverage under the Ohio Environmental Protection Agency General National Pollutant Discharge Elimination System Permit. Wetland and stream impacts would be covered under the Permit #12 from the U.S. Army Corps of Engineers without the need to submit a pre-construction notification.

No unique ecological sites, geologic features, animal assemblages, scenic rivers, state wildlife areas nature preserves, parks, ponds, national wildlife refuges, or other protected natural areas occur within a 1-mile radius of the Trumbull Energy Center project site. Sections of the proposed facility are located within a Federal Emergency Management Agency flood zone.

Threatened and Endangered Species

State and federal listed species and/or suitable habitat that may be found in the project area include the Indiana bat (*Myotis sodalis*) and northern long-eared bat (*Myotis septentrionalis*). Due to the large amount of tree clearing required for the project, the U.S. Fish and Wildlife Service (USFWS) recommends that a summer survey be conducted to determine the presence or probable absence of Indiana bats at the project site. The summer survey must be conducted by an approved surveyor and be designed and conducted in coordination with the USFWS Endangered Species Coordinator for this project. The summer survey must be conducted between June 1 and August 15. The Ohio Department of Natural Resources Division of Wildlife recommends tree cutting occur between October 1 and March 31.

The project lies within the range of several state and federal listed mussel species and fish species. Due to the fact that no in-water work is planned for this project, no impacts to these species are anticipated.

The project lies within the range of the federal species of concern and state endangered eastern hellbender (*Cryptobranchus alleganiensis alleganiensis*); the federal threatened and state endangered eastern massasauga (*Sistrurus catenatus*); the state endangered northern harrier (*Circus cyaneus*); the state endangered upland sandpiper (*Bartramia longicauda*); the state endangered black bear (*Ursus americanus*); the state threatened spotted turtle (*Clemmys guttata*); and the state threatened least bittern (*Ixobrychus exilis*). Due to the type of habitat present at the project site and within the vicinity of the project area, the fact that no in-water work is proposed in perennial streams, and the mobility of the species, no impacts are anticipated for these species.

Conclusion

Staff's review of the application included consideration of the requirements listed in R.C. 4906.10. Based on Staff's review, the application meets the necessary criteria for granting a certificate. Staff recommends automatic approval of this application on September 18, 2017.

Conditions

- (1) Prior to the commencement of construction activities in areas 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. 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 continue coordination with the U.S. Fish and Wildlife Service, the Ohio Department of Natural Resources, and Staff to assure impacts to the Indiana bat and northern long-eared bat are minimized.
- (3) General construction activities shall be limited to the hours of 7:00 a.m. to 7:00 p.m., or until dusk when sunset occurs after 7:00 p.m. Impact pile driving, hoe ram, and blasting operations, if required, shall be limited to the hours between 10:00 a.m. to 5:00 p.m., Monday through Friday. Construction activities that do not involve noise increases above ambient levels at sensitive receptors are permitted outside of daylight hours when necessary.
- (4) The Applicant shall provide a copy of any floodplain permit required for construction of this project, or a copy of correspondence with the floodplain administrator showing that no permit is required, to Staff within seven days of issuance or receipt by the Applicant.
- (5) The Applicant shall not conduct mechanized clearing or stump removal within 25 feet of any stream channel.

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 17-0819-EL-BLN

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