

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

In the Matter of the Expedited Letter of Notification)
Application of AEP Ohio Transmission Company for)
the Adjustment to Carrollton-Sunnyside 138 kV) **18-1857-EL-BLN**
Transmission Line Rebuild Project)

Members of the Board:

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|---|-------------------------------|
| 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.

Staff recommends the application for automatic approval on February 20, 2019, 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 February 20, 2019, which is the recommended automatic approval date.

Sincerely,



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OPSB STAFF REPORT OF INVESTIGATION

Case Number: 18-1857-EL-BLN
Project Name: Adjustments to Carrollton-Sunnyside 138 kV Transmission Line Rebuild Project
Project Location: Stark and Carroll counties
Applicant: AEP Ohio Transmission Company
Application Filing Date: December 28, 2018
Filing Type: Letter of Notification
Inspection Date: January 29, 2019
Report Date: February 13, 2019
Recommended Automatic Approval Date: February 20, 2019
Applicant's Waiver Requests: none
Staff Assigned: G. Zeto, J. Cross

Summary of Staff Recommendations (see discussion below):

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

Project Description

AEP Ohio Transmission Company, Inc. (AEP Ohio Transco or Applicant) plans to rebuild approximately 19.7 miles of existing 138 kilovolt (kV) transmission line. This project was originally approved in case number 17-1318-EL-BLN. In this current Application, the Applicant proposes adjustments to the originally approved route. The maximum adjustment involves a shift from the approved centerline to the newly-proposed centerline of approximately 155 feet. However, this would be a shift back to the existing centerline. Six miles of the proposed centerline shift would be from the approved centerline to the existing centerline. Other minor engineering adjustments accounted for shifts along 10.1 miles of the route, with 4.8 miles of those adjustments being shifts of less than 5 feet. Originally the Applicant proposed approximately 0.8 mile of the rebuild to occur within new right-of-way, but now proposes 0.4 mile of the rebuild to occur within new right-of-way. The replacement structures would be primarily galvanized steel single pole structures with davit arms.

Prior to the submittal of the application in this case, the Applicant began construction under the certificate issued in case number 17-1318-EL-BLN. According to mapping provided by the Applicant, four structures near the northern terminus of the line were constructed outside of the approved centerline. These deviations were approximately 50 feet from the approved centerline and moved the new structures closer to existing centerline. Based on Staff's review, these structure shifts did not result in increased social or ecological impacts.

Basis of Need

The need for the originally proposed project as established in case number 17-1318-EL-BLN was to remediate significant rusting and deterioration on the lattice towers and brittle copper conductor, as well as respond to load growth in the area. The Applicant states that the changes proposed in this filing were primarily at the request of the specific affected property owners, and additionally to address engineering requirements associated with the proposed transmission line. The revisions proposed in this filing would allow the transmission system to provide safe, reliable electric service, while meeting all the applicable planning criteria.

This project was included in the Applicant's Long-Term Forecast Report filing, Case No. 18-1501-EL-FOR, and is a PJM Interconnection LLP (PJM) Supplemental Regional Transmission Expansion Plan project. PJM assigned the project upgrade ID No. s1425. The construction status of the transmission project can be tracked on PJM's website.^{1, 2}

Nature of Impacts

Socioeconomic Impacts

The surrounding land use is a mix of agricultural fields, wood lots, and scattered residences. Portions of the project cross five agricultural district parcels within Stark County, and none in Carroll County. The project is not expected to impact the viability of any agricultural district parcels.

The existing right-of-way and proposed offset right-of-way contains several storage sheds which may require removal. No residences would be removed as a result of the project.

The Applicant sent notification about the project to area public officials and affected property owners. The Applicant is finalizing agreements with several property owners on remaining easements for the transmission line and access roads.

Cultural Resources

The Applicant performed a Phase I cultural resource management investigation for the original project in July 2017, concluding that the project would not affect any historic properties or landmarks and that the project would not affect any historic properties, and that no further cultural resources work is considered to be necessary for this project. The report was provided to the Ohio Historic Preservation Office (OHPO). The OHPO provided a letter for the original alignment concurring that the project would not impact any historic properties and that no further coordination with their office was necessary for the project, unless the project changes or additional historic properties are discovered. The Applicant provided an update to the OHPO on the proposed changes associated with the current application, and received a letter concurring that no impacts to historic properties are expected as a result of the proposed changes.

Surface Waters

The proposed changes would not result in any additional stream impacts. The survey corridor contains 69 streams, including 26 ephemeral streams, 29 intermittent streams, and 14 perennial

1. "AEP Ohio Transmission Company Long-Term Forecast Report to the Public Utilities Commission of Ohio," Public Utilities Commission of Ohio Case No. 17-1501-EL-FOR, April 17, 2017.

2. PJM Interconnection, "Transmission Construction Status," accessed February 4, 2019, <https://pjm.com/planning.aspx>.

streams. No poles would be located in streams. No in-water work is planned in any streams, and no permanent impacts are anticipated.

The proposed change would not result in any additional wetland impacts. The survey corridor contains 63 wetlands totaling 28 acres. These include 16 category 2 wetlands and 47 category 1 wetlands. If pole placement within wetland becomes necessary, impacts would be covered under the Army Corps of Engineers Nationwide 12 permit.

Construction access would require wetland and stream crossings. The Applicant has committed to use timber matting to avoid permanent impacts to wetlands and streams. Erosion control measures, including silt fencing, are expected to be used where appropriate to minimize runoff impacts to stream channels. In order to minimize impacts to stream banks and wetlands, Staff recommends the Applicant not conduct mechanized clearing in wetlands or within 25 feet of any stream channel.

The survey corridor contains eight ponds. No impacts to these resources are anticipated.

The Applicant would submit a Notice of Intent for coverage under the Ohio Environmental Protection Agency General National Pollutant Discharge Elimination System Permit.

Approximately 1.2 miles of the proposed centerline crosses floodplain areas. The Applicant has obtained the required floodplain development permit from Stark County and would be exempt from Carroll County floodplain permitting per the Carroll County regulations.

Threatened and Endangered Species

The project would require some tree clearing. The project area is within the range of state and federal endangered Indiana bat (*Myotis sodalis*) and the state and federal threatened northern long-eared bat (*Myotis septentrionalis*). As tree roosting species in the summer months, the habitat of these species could be impacted by the project. The Applicant performed mist net surveys which did not capture Indiana bats, but did capture a northern long-eared bat. The USFWS has stated that tree clearing on the project site at any time of the year is unlikely to result in adverse impacts to Indiana bats and will not result in any unauthorized incidental take of northern long-eared bats. The USFWS authorizes incidental take of the northern long-eared bat through the final 4(d) rule, published in the Federal Register, in certain instances. Incidental take of the northern long-eared bat would not be federally prohibited in the project area as defined by the 4(d) rule. However, because the northern long-eared bat is a state threatened species, Staff recommends minimizing tree clearing during the pup rearing season of June 1 through July 31, to reduce impacts to this threatened species. The proposed project is expected not to impact any bat hibernacula.

The Project is within the range of the state threatened least bittern (*Ixobrychus exilis*). Potentially suitable nesting habitats were identified along the project route. However, after further coordination with the ODNR, it was determined that suitable nesting habitat does not exist in sufficient quality or quantity along the project route.

The project lies within the range of listed fish and mussel species. Due to the project location, and that there is no in-water work in perennial streams proposed for this project, no impacts to these species are anticipated. The Applicant would utilize best management practices to avoid any indirect impacts to streams through its use of erosion and sediment controls within its Stormwater Pollution Prevention Plan.

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 case on February 20, 2019, provided that the following conditions are satisfied.

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.
- (2) The Applicant shall not conduct mechanized clearing in wetlands or within 25 feet of any stream channel.
- (3) The Applicant shall minimize tree clearing during the northern long-eared bat pup rearing season of June 1 through July 31 to reduce impacts.

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Case No(s). 18-1857-EL-BLN

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