



June 15, 2021

Josh Hreha  
Renewable Development Manager  
Invenergy  
One South Wacker Drive, Suite 1800  
Chicago, IL 60606  
[jhreha@invenergy.com](mailto:jhreha@invenergy.com)

Mr. Hreha:

In response to your email of June 2, which was in response to our comments to Prairie Township of May 29, we wanted to ask some questions and add some points to further represent our position.

Because of low-quality stream habitat, the area north of US 40 including along the route of the transmission line is an important area and was specified within the Big Darby Accord as part of the "Priority Stream Restoration Zone," (see 3-14 of the Big Darby Accord Watershed Master Plan, June 2006), with all those streams expected to be restored as part of the Big Darby Accord plan. Several stream restoration projects have been completed. As of 2014, Ohio EPA discusses the low (i.e., poor to fair quality) biological and stream habitat scores in "Hamilton, Clover Groff, and McCoy Runs" on page 77 of "Biological and Water Quality Study of the Big Darby Creek Watershed 2014."

- (1) We don't doubt that the implementer of any restorations on the Ecological Resources Partners LLC (ERP LLC) parcel are capable of conducting a project at least meeting regulatory standards for either stream or wetland restoration there, or both. If this is a mitigation site, they are required to do so under mitigation obligations, such as the Clean Water Act's Section 401/404 program. That coordination with the transmission line design would be good (see further comment below), and as we stated, we think it is very necessary. While you have not identified the implementer, the Stream and Wetlands Foundation was active on a 95-acre site within Battelle-Darby Metro Park in an adjacent area (<https://streamandwetlands.org/mitigation-banks/ohio/big-darby-hellbranch/>) and the ERP LLC parcel and McCoy Ditch are nearby. We are familiar with their work.

Regardless of the implementation for the ERP LLC parcel, there are two other adjacent and important parcels (see Figure 1 below) that need stream restoration along Hamilton Run and McCoy Ditch on the Prairie Township and AEP Ohio Transmission. Without active stream restoration, these two parcels likely will continue to have low-quality stream habitat and low aquatic biology scores, thereby not meeting Clean Water Act goals for Ohio's most general use designation, Warmwater

Habitat. These two streams are presently designated Modified Warmwater Habitat, Ohio's lowest-quality stream use designation.

- (2) You said "The notes within the comment regarding stream design, plantings, and coordination beyond where the transmission line is going are all being handled by this entity that specializes in this work." It's not clear which parcel you are referring to when you say "beyond where the transmission line is going." We assume this is the ERP LLC parcel, but there is the AEP Ohio Transmission parcel along Hamilton Run also affected by the transmission line (e.g., where the transmission line is over the stream, typically trees are not allowed to grow – see the Hellbranch Meadows site south of US 40 for an example). As part of the proposed Pleasant Prairie Solar project, is any stream restoration planned for that AEP Ohio Transmission parcel section of Hamilton Run as part of the transmission line siting or related efforts? As you know, it would need to be permitted by Ohio EPA and would be subject to Clean Water Act Section 401/404 review.

We emphasize, importantly, that stream restoration design coordination is needed with Prairie Township. Their parcel is downstream of AEP Ohio Transmission's on Hamilton Run. This coordination is to ensure that there are no design limits (such as points where a stream restoration on an adjacent parcel ends, but is not designed for the continued optimized stream restoration downstream) to stream restoration of McCoy Ditch and Hamilton Run on the parcel, either downstream of the ERP LLC or AEP Ohio Transmission parcels. For example, Prairie Township's parcel might have a problem with dealing with the USDA Wetland Restoration Program berms that were constructed about a decade ago.

- (3) You stated:  
"Coordinated with the Ohio EPA to completely avoid building any structures in the FEMA flood plain."

Since the Ohio EPA general permit for stormwater in the Big Darby Creek watershed discourages structures within the riparian setback, we expect this will comply, and this would be standard practice in the watershed.

See: Ohio EPA Permit No.: OHC000005 , Appendix A Big Darby Creek Watershed, A.4 Riparian Setback Requirements, Page 44:

"The setback distance shall be sized as the greater of the following:

1. The regulatory 100-year floodplain based on FEMA mapping;" (etc.)

We note the stormwater permit refers to "approvable utility crossings."

- (4) In our June 2 response, you stated: "Coordinated with the Ohio EPA to completely avoid building transmission structures in the Conservation Easement noted within the comment."

While the AEP Ohio Transmission/Ohio Power Company Conservation Easement related to the Cole Station discourages or prohibits such structures, there is a clear need for stream restoration along Hamilton Run in this section. A conservation easement without stream channel habitat improvements (such as re-establishing meanders) would fail to achieve the potential stream habitat improvements needed, and not add to any riparian habitat value of the conservation easement. While the conservation easement has some benefit, it is very unlikely to overcome the stream

habitat's highly modified attributes, like entrenchment and lack of meanders, of Hamilton Run. The stream channel in this section is in poor condition (i.e., it's a channelized stream); the stream needs to be restored and the conservation easement area might need to be used for that restoration. We don't see another alternative for stream restoration that would achieve adequate stream habitat quality scores and significantly improved stream biology.

A major concern would be the overhead transmission line not allowing mature trees to grow along the stream, minimizing shade for the stream, including within the conservation easement. Such shade is critical to stream health. How will this problem be minimized?

If there are stream restorations, it is very likely that excess spoil will need to be placed, and that might affect the AEP Ohio Transmission and Prairie Township parcels.

- (5) In the June 9, 2021, "Response to Sixth Data Request from Staff of the Ohio Power Siting Board" for Case No. 20-1679-EL-BGN and Pleasant Prairie Solar Energy LLC, submitted by Christine Pirik of Dickinson Wright, there appears to be a section of the transmission line on the ERP LLC parcel that parallels McCoy Ditch for at least several hundred feet. This does not appear to minimize the transmission line crossing distance over the streams. It should be a perpendicular crossing to minimize this distance. The present design (we recognize this might be conceptual) appears to increase the length of stream subject to loss of tree shade.
- (6) As we stated in our May 29, 2021, email to Rob Peters of Prairie Township, transmission lines can limit stream restoration design and important components such as the route and tree shading over these streams. In short, the transmission line route needs to, including but not limited to:
  - 1) minimize the transmission line crossing distance over any streams;
  - 2) maximize the ability of the streams to meander when restored, on these parcels and near the transmission lines (This is best established with planning of the transmission lines in conjunction with stream restoration planning);
  - 3) minimize restrictions that might be created by placement of the transmission line towers or other structures;
  - 4) maximize tree shade over these streams, including an adequate distance in the riparian area along these streams (as wide as possible);
  - 5) maximize infiltration of precipitation to groundwater through establishment of native vegetation in these parcels, which probably is forest in this area (and might include some wetlands), especially within the floodplain;
  - 6) demonstrate coordination for maximizing stream restoration among parcels; and
  - 7) confirmation of the above by a qualified and experienced stream restoration consultant/contractor, and review by the public.

The potential restoration of these streams is an important part of the Big Darby Accord's intent and Ohio EPA and others' Total Maximum Daily Load (TMDL) efforts, and helps improve Hellbranch Run, McCoy Ditch and the Big Darby Creek.

Thank you for the consideration of these comments.

Sincerely,

AS/CS

Anthony Sasson  
Charlie Staudt (Prairie Township resident)  
on behalf of the Darby Creek Association  
8351 Patterson Road  
Hilliard, Ohio 43016  
[asasson@aol.com](mailto:asasson@aol.com)  
614 519-9291

cc:

John Tetzloff, DCA  
Charlie Staudt, DCA  
Marshall Cooper, Ohio EPA  
Kyle Wilson, Franklin SWCD  
Matt Butler, OPSB  
Rob Peters, Prairie Township

-----Original Message-----

From: Hreha, Josh <JHreha@invenergy.com>  
To: Robert Peters <rpeters@prairietownship.org>  
Cc: asasson@aol.com <asasson@aol.com>  
Sent: Wed, Jun 2, 2021 9:52 am  
Subject: RE: comments PP

Mr. Peters-

I was hoping to take a moment to respond to the recent attached comment filing regarding the Pleasant Prairie Solar case. Unfortunately, numerous discussions about the topic of the transmission lines and the below points between Invenergy and this comment author are not represented.

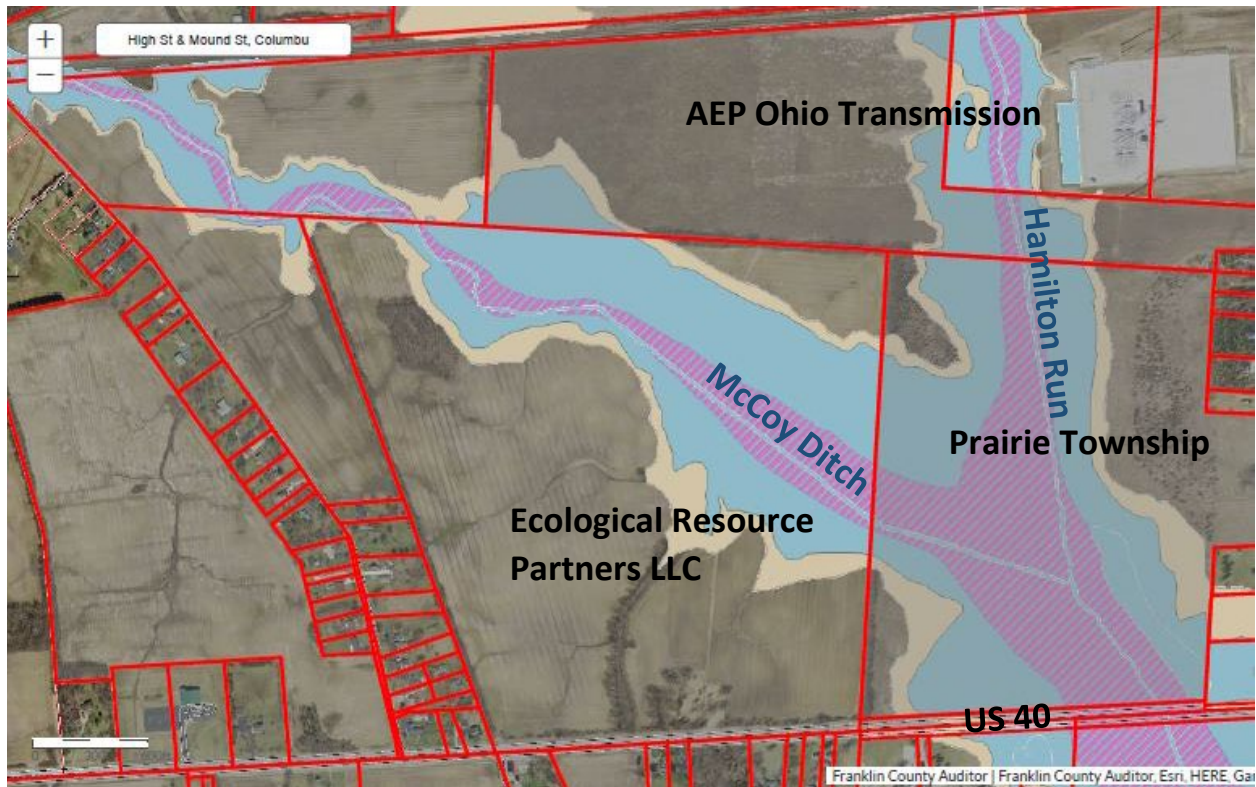
With regard to the routing of transmission facilities to the Cole Road substation, Invenergy has:

Coordinated the specific routing with the current landowner who is the entity that the specializes in, and is currently designing a stream restoration project in this area- with Invenergy contributing MORE land for these efforts. We are at a significant advantage that our two projects, the stream restoration and the transmission lines, are both in early design phases so they can be coordinated together. The notes within the comment regarding stream design, plantings, and coordination beyond where the transmission line is going are all being handled by this entity that specializes in this work.

Coordinated with the Ohio EPA to completely avoid building transmission structures in the Conservation Easement noted within the comment.

Coordinated with the Ohio EPA on how to properly access areas near the Conservation Easement noted within the comment.

Coordinated with the Ohio EPA to completely avoid building any structures in the FEMA flood plain.



**Figure 1** Hamilton Run and McCoy Ditch upstream of US 40, showing floodplains      **Source:** Franklin County Auditor

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

**Commission of Ohio Docketing Information System on**

**6/16/2021 11:35:12 AM**

**in**

**Case No(s). 20-1679-EL-BGN**

Summary: Public Comment of Anthony Sasson, "via website". electronically filed by  
Docketing Staff on behalf of Docketing