

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

**In the Matter of the Letter of Notification Application     )**  
**of Ohio Power Company for the Salt Creek-Holmesville    )** **Case No. 22-1087-EL-BLN**  
**138 kV Transmission Line Project                                )**

Members of the Board:

Chair, Public Utilities Commission	Ohio House of Representatives
Director, Department of Development	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 (Ohio Adm. Code) 4906-6.

Staff recommends the application for automatic approval March 14, 2023, unless suspended by the Board, an administrative law judge, 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 objections you or your designee may have with this case to my office at least four business days prior to March 14, 2023, which is the recommended automatic approval date.

Sincerely,



Michael Williams  
Executive Director  
Ohio Power Siting Board

## OPSB STAFF REPORT OF INVESTIGATION

**Case Number:** 22-1087-EL-BLN  
**Project Name:** Salt Creek-Holmesville 138 kV Transmission Line Project  
**Project Location:** Holmes County  
**Applicant:** Ohio Power Company  
**Application Filing Date:** December 13, 2022  
**Filing Type:** Letter of Notification  
**Inspection Date:** January 17, 2023  
**Report Date:** March 7, 2023  
**Recommended Automatic Approval Date:** March 14, 2023  
**Applicant's Waiver Requests:** None  
**Staff Assigned:** A. Renick, M. Bellamy, T. Crawford, A. Delong

### Summary of Staff Recommendations (see discussion below):

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

### Project Description and Need

The Ohio Power Company (Applicant) has proposed the construction of the Salt Creek-Holmesville 138 kilovolt (kV) transmission line. This line would connect the new Salt Creek 138 kV switch to the proposed non-jurisdictional Holmesville Station. The Applicant states that the length of the new transmission line would be 0.8 miles. The Applicant states that the project would involve the acquiring of new easements and the establishment of a right-of-way. This project is related to the cut-in to the existing South Coshocton-Wooster 138 kV transmission line to accommodate a new phase-over-phase switch, which was filed with the Ohio Power Siting Board as Case No. 22-1086-EL-BNR.

The Applicant claims the project is needed to provide the Holmes Wayne Electric Cooperative (HWN) with a new delivery point on the South Coshocton-Wooster 138 kV line. The project would also provide HWN the ability to have supplemental service to the growing community and increasing loading in the area and also to provide service assistance to the loads served by the Moreland delivery point.

Upgrades and modifications to the transmission system are part of PJM Interconnection, LLC's (PJM) Regional Transmission Expansion Planning (RTEP) process.<sup>1</sup> The need and solution for this project were presented to PJM in March 2021 and September 2021, respectively. The project was assigned the supplemental ID s2641.<sup>2</sup> Supplemental projects or upgrades refer to transmission expansions or enhancements not needed to comply with PJM reliability, operational performance, FERC Form No. 715 criteria, economic planning, and public policy planning (State Agreement Approach).<sup>3</sup>

The Applicant states the project was identified in the Company's 2022 Long-Term Forecast Report to the Public Utilities Commission of Ohio, filed in Case No. 22-0501-EL-FOR.<sup>4</sup>

The Applicant proposes to begin construction in March 2023, and expects to place the project in service in July 2023. The capital cost of the project, consisting of tangible and capital costs, is approximately \$1,300,000 using a Class 4 estimate.<sup>5</sup>

## **Nature of Impacts**

### *Land Use*

This project would be located in Prairie Township in Holmes County. Land uses in the project footprint and surrounding vicinity include agricultural, woodlots, residential, and industrial. The Killbuck Marsh Wildlife Area is located within the vicinity of the project area. There are no other parks, preserves, or wildlife management areas within the project vicinity. There would be one church located approximately 0.1 mile away from the project.

The Applicant consulted with the Holmes County Auditor's office in October 2022 to confirm that there were no Agricultural District Land parcels within the project right-of-way. This project would largely parallel Ohio State Route 83 and existing linear infrastructure, impacts to agricultural land uses would be minimal and contained to the footprint of the project structures.

### *Cultural Resources*

The Applicant's cultural resources consultant performed a literature review and Phase I cultural resource management investigation (archaeology and history/architecture) for the project. From the literature review, the consultant identified no previously identified archaeological sites within the project area. During the Phase I survey, the consultant identified two new archaeological sites within the project area. The consultant recommended that the new archaeological sites should be subject to avoidance or studied further through a Phase II survey. One National Register of Historic Places (NRHP) listed historic resource were identified with the area of potential effect. The

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1. PJM is the regional transmission organization charged with planning for upgrades to the regional transmission system in Ohio. Significant alterations to the transmission system located in the PJM control area are required to submit planned projects for review of their system impacts.

2. <https://www.pjm.com/-/media/committees-groups/committees/srtepw/postings/2022/aep-local-plan-submission-of-the-supplemental-projects-for-2022-rtep-ashx>. (Accessed December 19, 2022).

3. PJM Manual 14B: PJM Region Transmission Planning Process, Revision 51, Effective Date: December 15, 2021.

4. AEP Ohio Power Company, "Long-Term Forecast Report", Public Utilities Commission of Ohio Case No. 22-0501-EL-FOR, April 12, 2022, PUCO Form FE-T9, Planned Transmission Lines, pages 104 and 120.

5. The Applicant indicates that the costs would be projected to be transmission plant, and pursuant to the PJM Open Access Transmission Tariff, the costs would be recovered in the Applicant's FERC formula rate (Attachment H-14 to the PJM OATT) and would be allocated to the AEP Zone.

consultant recommended that the visibility of the project by the NRHP listed historic resource would not affect the eligibility of the resource. The findings were submitted to the Ohio Historic Preservation Office (OHPO). The OHPO responded to the consultant in concurrence that the two newly identified archaeological sites should be avoided or subject to a Phase II survey and that the visibility of the project by the NRHP listed historic resource would not affect the eligibility of the resource. Staff agrees with these findings and recommends a condition concerning the two newly identified archaeological sites requiring the Applicant to either avoid the sites or conduct and forward to staff and the OHPO the results of the Phase II survey.

### *Surface Waters<sup>6</sup>*

The Applicant's consultant conducted a wetland and stream delineation of the project area on February 3, 2022. The consultant identified one Category 1 wetland and one Category 2 wetland totaling 0.52 acres.<sup>7</sup> No streams were identified. No surface water impacts proposed for this project.

The Applicant would file a Notice of Intent with the Ohio Environmental Protection Agency for authorization of construction stormwater impacts under the National Pollutant Discharge Elimination System General Permit prior to the beginning of construction. The Applicant would implement and maintain best management practices as outlined in the project-specific Storm Water Pollution Prevention Plan to minimize erosion, control sediment, and protect surface water quality during storm events.

This project overlaps with a Federal Emergency Management Agency 100-year floodplain. No new structures would be introduced in this area and existing structures would be access via helicopter, thus the Applicant would not obtain a floodplain permit.

### *Threatened and Endangered Species<sup>8</sup>*

The Applicant received an environmental review of the project from the U.S. Fish and Wildlife Service (USFWS) and the Ohio Department of Natural Resources (ODNR) on December 2, 2021

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6. The Ohio EPA website states: "The Division of Surface Water ensures compliance with the federal Clean Water Act and works to increase the number of water bodies that can be safely used for swimming and fishing. The division issues permits to regulate wastewater treatment plants, factories, and storm water runoff; develops comprehensive watershed plans aimed at improving polluted streams; and samples streams, lakes and wetlands — including fish, aquatic insects and plants — to determine the health of Ohio's water bodies." (Ohio EPA, *About Us: Surface Water*, <https://www.epa.ohio.gov/About#127147228-surface-water>); The U.S. Army Corps of Engineers website states: "The U.S. Army Corps of Engineers (USACE) Regulatory Program involves the regulating of discharges of dredged or fill material into waters of the United States and structures or work in navigable waters of the United States, under section 404 of the Clean Water Act and section 10 of the Rivers and Harbors Act of 1899." (USACE, *Obtain a Permit*, <https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Obtain-a-Permit/>); The Ohio Department of Natural Resources (ODNR) website states: "The Division of Water Resources manages statewide oversight of dams & levees, floodplains, and the collection and management of data related to the state's water resources." (ODNR, *Division of Water Resources*, <https://ohiodnr.gov/wps/portal/gov/odnr/discover-and-learn/safety-conservation/about-odnr/water-resources/water-resources>).

7. Wetlands falling within the purview of the Clean Water Act are regulated within Ohio by R.C. 6111, et seq. and Ohio Adm.Code 3745-1-50, et seq. Ohio Adm.Code 3745-1-54 establishes wetland categories.

8. Based on agency coordination with the USFWS and ODNR, identified species of concern are, in general, defined as those species that are protected under the federal Endangered Species Act of 1973, as amended (16 U.S.C. §§ 1531-1544) and/or according to the Conservation of Natural Resources within R.C. 1518.01-1518.99;

and December 20, 2021, respectively. This project is within range of several listed species. Due to lack of tree clearing, in-water work, and suitable habitat, impacts to these species are not anticipated.

## **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 approval of this application on March 14, 2023, subject to the following conditions. Staff notes that its recommendation for approval of this application should not be construed as a recommendation for approval of cost recovery in any ratemaking proceeding.

## **Conditions**

- (1) The certificate authority provided in this case shall not exempt the facility from any other applicable and lawful local, state, or federal rules or regulations nor be used to affect the exercise of discretion of any other local, state, or federal permitting or licensing authority with regard to areas subject to their supervision or control.
- (2) 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, on the case docket prior to commencement of construction. Any notice of violation received by the Applicant from the permitting agency shall be provided on the case docket within seven days of receipt.
- (3) Concerning the two newly identified archaeological sites, the Applicant shall either avoid the sites or conduct a Phase II survey, forward the results of the survey to Staff and the Ohio Historic Preservation Office, and continue coordination to assure that impacts are minimized.
- (4) The Applicant shall contact Staff, the ODNR, and the USFWS within 24 hours if state or federal listed species are encountered during construction activities. Construction activities that could adversely impact the identified plants or animals shall be immediately halted until an appropriate course of action has been agreed upon by the Applicant, Staff, and the appropriate agencies.

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1531.25; and 1531.99. *See also e.g.*, R.C. 1531.08 states, in part: "In conformity with Section 36 of Article II, Ohio Constitution, providing for the passage of laws for the conservation of the natural resources of the state, including streams, lakes, submerged lands, and swamplands, and in conformity with this chapter and Chapter 1533. of the Revised Code, the chief of the division of wildlife has authority and control in all matters pertaining to the protection, preservation, propagation, possession, and management of wild animals and may adopt rules under section [1531.10](#) of the Revised Code for the management of wild animals."

One of the missions of the ODNR is to "conserve and improve the fish and wildlife resources and their habitats and promote their use and appreciation by the public so that these resources continue to enhance the quality of life for all Ohioans." In carrying out this mission, the ODNR considers the "status of native wildlife species [to be] very important" and therefore lists wildlife species needing protection. (ODNR, *State Listed Species*, <https://ohiodnr.gov/wps/portal/gov/odnr/discover-and-learn/safety-conservation/about-ODNR/wildlife/state-listed-species>).

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

**Case No(s). 22-1087-EL-BLN**

Summary: Staff Report of Investigation electronically filed by Ms. Allison Renick on  
behalf of Staff of OPSB