

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

**In the Matter of the Construction Notice Application by)
American Electric Power Ohio Transmission Company)
for a Certificate of Environmental Compatibility and) Case Number
Public Need for the Portsmouth Area Structure) 15-0098-EL-BNR
Relocation 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 the Board's rules. The 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 February 17, 2015, 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.

Please present any concerns you or your designee may have with this case at least four business days prior to February 17, 2015, which is the automatic approval date.

Sincerely,



Patrick Donlon
Executive Director
Ohio Power Siting Board
(614) 466-6692
ContactOPSB@puc.state.oh.us

STAFF REPORT OF INVESTIGATION

Case Number: 15-0098-EL-BNR
Project Name: Portsmouth Area Structure Relocation Project
Project Location: Scioto County
Applicant: American Electric Power Ohio Transmission Company
Application Filing Date: January 26, 2015
Filing Type: Expedited Construction Notice
Inspection Date: February 6, 2015
Report Date: February 9, 2015
Automatic Approval Date: February 17, 2015
Applicant's Waiver Requests: None
Staff Assigned: J. Pawley, A. Holderbaum, G. Zeto

Summary of Staff Recommendations (see discussion below):

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

Project Description

This project would consist of removing six existing 138 kilovolt (kV) structures and relocating and replacing them with seven 138 kV structures. The transmission structures need to be relocated and replaced due to the Ohio Department of Transportation's (ODOT) 16-mile Portsmouth Bypass Highway Project, which will extend from a location near Lucasville, Ohio to a location east of Portsmouth, Ohio. Construction of the American Electric Power Ohio Transmission Company (AEP Transco) structure relocation project is anticipated to begin in late February, 2015 and placed in service in June 2015. The total cost of this transmission relocation project is estimated at approximately \$3.8 million.

Site Description

There are two primary sites of work activity for this relocation project. The first site would involve removing four existing structures on the Lucasville-Sargents 138 kV transmission line north of Lucasville, Ohio in Valley Township. These four structures will be relocated and replaced with four taller steel H-frame structures.

The second site of work activity is located east of Portsmouth and New Boston, Ohio in Harrison Township. This site would involve removing a lattice tower on the Sporn-Portsmouth 138 kV transmission line and relocating and replacing it with a self-supporting steel pole structure. Additionally, a lattice tower on the South Point-Portsmouth 138 kV transmission line would be removed and replaced with two new steel dead-end structures.

Land adjacent to the project area is primarily wooded and hilly, with scattered residential land uses near the Lucasville portion of the project, and more densely populated residential land uses

near the Portsmouth/New Boston portion of the project. All structures would be replaced and relocated within existing 100-foot AEP Ohio Transmission Company right-of-way corridors.

Nature of Impacts

Lucasville area

There are several residences located adjacent to structures that would be replaced and relocated near Lucasville on the Lucasville-Sargents 138 kV transmission line. Two of the new transmission structures would be 105 feet in height, and the other two structures would be 140 feet in height, in order to allow proper clearance for the new highway grading below.

The applicant has good access to all four structures to be relocated and replaced. All four structures would be relocated and replaced within existing right-of-way. There are no wetland or stream crossings associated with this portion of the project.

Portsmouth area

The two lattice towers to be removed near Portsmouth/New Boston will be replaced with steel monopole structures. The use of existing right-of-way to limit placement of relocated structures will reduce impacts to the surrounding environment. There are residences adjacent to the two towers to be removed, which are situated atop cleared hilltops.

There is an abundance of existing ATV trails in the areas around the lattice towers that the applicant will utilize for access. These trails will need some improvements and clearing for heavy equipment to access in areas where the existing right-of-way vegetation has overgrown and terrain is rough. There are no wetland or stream crossings associated with this portion of the project.

Although the four new Lucasville structures will exceed 100 feet in height, Staff does not expect negative impacts to the socioeconomic characteristics of the surrounding area from this relocation project, as there are existing transmission lines and H-frame structures and/or lattice towers at each location. There will also be a future adjacent 4-lane highway constructed by ODOT, graded to be placed beneath the 138 kV transmission line. The Applicant had a cultural resources management literature review performed in January, 2015, which recommended that no further cultural resources investigations were necessary for the scope of this project.

Threatened and Endangered Species

Hibernacula presence for the state and federally endangered Indiana bat (*Myotis sodalis*) has already been confirmed in the project area. The presence of Indiana bats hibernacula in the vicinity indicates Indiana bats are present year-round.

In order to reduce potential impacts to the Indiana bat, the U.S. Fish and Wildlife Service (USFWS) and Staff recommend that the Applicant be required to adhere to seasonal clearing dates. These dates restrict clearing activities to November 15 through March 15 for removal of trees that exhibit suitable Indiana bat habitat unless coordination efforts with the Ohio Department of Natural Resources and the USFWS reflect a different course of action (e.g. an authorized deviation from seasonal tree cutting dates for a period of time).

The project also lies within the range of the state endangered timber rattlesnake (*Crotalus horridus*). In Ohio, the timber rattlesnake is restricted to the unglaciated Allegheny Plateau. Winters are spent in dens usually associated with high, dry ridges. In the fall, timber rattlesnakes

return to the same den. The USFWS recommends the Applicant avoid clearing, construction, and maintenance activities within 100 feet from ridges and areas of exposed rock and that such work should be conducted from November 1 to March 1 when timber rattlesnakes are hibernating.

Conclusion

The construction of this project should pose only minimal negative social and ecological impacts and is needed for the construction of the ODOT Portsmouth Highway Bypass Project. Staff recommends automatic approval of this case on February 17, 2015.

Staff Recommended Conditions:

1. 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, including but not limited to the Federal Aviation Administration and/or the Ohio Department of Transportation Office of Aviation for the new structure heights if needed;
2. The Applicant shall adhere to seasonal tree cutting dates of November 15 through March 15 for the clearing of trees that exhibit suitable Indiana bat summer habitat, unless coordination efforts with the Ohio Department of Natural Resources and the U.S. Fish and Wildlife Service reflect a different course of action (e.g. an authorized deviation from seasonal tree cutting dates for a period of time);
3. The Applicant shall consult with the Ohio Department of Natural Resources and the U.S. Fish and Wildlife Service concerning the timber rattlesnake, prior to commencement of construction, to determine if further surveys, avoidance measures, and/or mitigation may be required. The Applicant shall report back to Staff the conclusions and/or actions to be taken from any such coordination effort;
4. The Applicant shall contact Staff, the Ohio Department of Natural Resources and the U.S. Fish and Wildlife Service within 24 hours if state or federal threatened or endangered species are encountered during construction activities.

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Case No(s). 15-0098-EL-BNR

Summary: Staff Report of Investigation electronically filed by Mrs. Yvonne W Cooper on behalf of Staff of OPSB