DUKE ENERGY OHIO EXHIBIT ___

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke Energy Ohio, Inc., for a Certificate of Environmental Compatibility and Public Need for the C314V Central Corridor Pipeline Extension Project.	)))))	Case No. 16-253-GA-BTX

DIRECT TESTIMONY OF

STEPHEN R. LANE

ON BEHALF OF

DUKE ENERGY OHIO, INC.

March 26, 2019

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I. INTRODUCTION AND PURPOSE

Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

A. My name is Stephen R. Lane, and my business address is 139 East 4th Street, Room EM740, Cincinnati, Ohio 45202.

Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?

A. I am employed by Duke Energy Business Services LLC (DEBS) as Lead Environmental Specialist. DEBS provides various administrative and other services to Duke Energy Ohio, Inc., (Duke Energy Ohio or the Company) and other affiliated companies of Duke Energy Corporation (Duke Energy).

Q. PLEASE BRIEFLY SUMMARIZE YOUR EDUCATIONAL BACKGROUND AND PROFESSIONAL EXPERIENCE.

A. I have received a Bachelor of Science Degree in Biology, a Bachelor of Arts Degree in Geography, and a Master of Science degree in Physical Geography from The University of Western Ontario, London, Ontario, Canada. In the past 18 years, I have worked on over 25 Ohio Power Siting Board Applications for certificates of Environmental Compatibility and Public Need for power generation, power delivery, and natural gas delivery projects. In addition, I have worked on Ohio Power Siting Board notifications for numerous smaller projects in Ohio that did not meet the requirements for a full certificate application. Also, I have participated in siting and environmental analysis for numerous projects in Indiana, Kentucky, Michigan, West Virginia, Virginia, North Carolina, Pennsylvania, and Illinois. I am also a Certified Project Management Professional

(PMP), Certified Professional in Sediment and Erosion Control (CPESC), and American Institute of Certified Planners Certified Planner (AICP).

Q. PLEASE SUMMARIZE YOUR RESPONSIBILITIES AS LEAD ENVIRONMENTAL SPECIALIST.

A. As a Lead Environmental Specialist my responsibilities at Duke Energy include project siting, licensing, and environmental permitting/compliance. My work is focused on Duke Energy Ohio new asset major construction projects for facilities or sites that have associated environmental permit requirements and obligations, and may include regulatory licenses, permits, approvals, or other documentation. My work occurs primarily during project development but can include oversight through facility construction to operation depending upon the project. In this role, I have worked on projects including: electric transmission and distribution lines, natural gas pipelines, electric substations, natural gas regulating stations, and generation facilities (coal-fired, natural gas, solar, wind, and hydroelectric).

Q. HAVE YOU PREVIOUSLY TESTIFIED BEFORE THE OHIO POWER SITING BOARD?

A. Yes.

Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS PROCEEDING?

A. The purpose of my testimony is to address certain ecological and environmental permitting aspects of the planned Central Corridor Pipeline, as well as issues relating to air, water, solid waste, aviation, agriculture, and water conservation.

II. DISCUSSION

Q. PURSUANT TO OHIO REVISED CODE SECTION 4906.10(A)(2), THE OHIO POWER SITING BOARD MUST DETERMINE THE NATURE OF THE PROBABLE ENVIRONMENTAL IMPACT OF THE PROPOSED PIPELINE. WHAT ECOLOGICAL IMPACTS SHOULD BE INCLUDED IN THAT DETERMINATION?

A. As part of its determination of the nature of the environmental impact, the Ohio Power Siting Board (Board) should consider the geology, slopes, and foundation soil suitability; surface waters in the area of the project; threatened and endangered species along the proposed routes; and vegetation.

Q. PLEASE DISCUSS THE GEOLOGY OF THE AREA IN WHICH THE PREFERRED AND ALTERNATE ROUTES ARE PROPOSED.

A. As discussed in the Company's application in this proceeding, the geology of the area in which both routes are located is an area characterized by rolling ground moraine of older till, generally lacking ice-constructional features. Bedrock geology consists primarily of shale and limestone.

Q. IN YOUR OPINION, IS THE GEOLOGY YOU HAVE JUST DESCRIBED SUITABLE FOR THE CONSTRUCTION OF THE PROPOSED PIPELINE?

A. Yes.

Q. PLEASE DISCUSS SLOPES AND FOUNDATION SOIL SUITABILITY IN THE AREA OF THE PREFERRED AND ALTERNATE ROUTES.

A. Landslides, although a possible occurrence in the area, are generally predictable, as they are typically caused by inherent geologic conditions and, in this area, are generally comprised of surface soil slippages. Landslides are not anticipated to be an issue during construction of the proposed pipeline as slopes in the area of the proposed routes are generally relatively shallow and neither route is dominated by areas having a severe potential for erosion. Where slopes are steeper, these areas will be crossed using Horizontal Direction Drilling (HDD) or the pipeline will be installed perpendicular to the slope. Likewise, soils throughout the project area are generally suitable to installation and operation of natural gas pipelines and the areas currently support numerous existing natural gas pipelines. Where engineering identifies a higher potential for stability issues, mitigation engineering adjustments will be made as appropriate for safe pipeline installation and operations. The project will comply with Ohio Environmental Protection Agency (Ohio EPA) construction storm water permitting requirements during construction activities, to control soil erosion and sediment movement.

Q. IN YOUR OPINION, ARE THE SLOPES AND FOUNDATION SOIL IN THE AREA IN WHICH THE PROPOSED PIPELINE WOULD BE LOCATED SUITABLE FOR ITS CONSTRUCTION AND OPERATION?

A. Yes.

Q. PURSUANT TO OHIO REVISED CODE SECTION 4906.10(A)(3), THE OHIO POWER SITING BOARD MUST DETERMINE THAT THE PROPOSED PIPELINE REPRESENTS THE MINIMUM ADVERSE ENVIRONMENTAL IMPACT, CONSIDERING THE STATE OF AVAILABLE TECHNOLOGY AND THE NATURE AND ECONOMICS OF THE VARIOUS ALTERNATIVES, AND OTHER PERTINENT CONSIDERATIONS. HOW DO YOU BELIEVE THE BOARD SHOULD ADDRESS THIS FACTOR?

A. In my opinion, related to the potential environmental impacts of the project, the Board should consider the length of the proposed routes, the number and quality of streams and wetlands crossed, the methods by which the Company would cross those streams and wetlands, how many acres of trees would be cleared in the construction process and the extent to which any large stands of forest would be fragmented, the significance of any air emissions resulting from construction or operation of the pipeline, the impacts on habitat for any state or federal endangered species of plants or wildlife, and any impact of potential soil erosion and sedimentation on these environmental resources.

Q. PLEASE DISCUSS ANY IMPACTS OF THE PROPOSED PIPELINE ON STREAMS AND WETLANDS.

A. The project alternatives cross streams and to a lesser extent some wetland areas. As per the Application, these ecological features were field reviewed and have been summarized in Tables 8-2 and 8-3. Any impacts to these features will be permitted as per US Army Corps 404 Clean Water Act and Ohio EPA 401 Water

Quality permitting requirements. These features will be restored following construction activities. Both crossings of the Mill Creek will be accomplished through the use of HDD, with the pipeline being located 35 to 40 feet under the Mill Creek. Floodplain permitting is typically not required for underground facilities except when above-ground structures are planned. Duke Energy Ohio will coordinate with the City of Cincinnati and Hamilton County, as appropriate, to obtain any required floodplain permits.

Q. PLEASE DISCUSS ANY IMPACTS OF THE PROPOSED PIPELINE ON TREES AND OTHER VEGETATION.

A. The project will require vegetation clearing along the pipeline easement, including removal of shrubs and trees. This vegetation will be replaced by maintained grasses within the pipeline right-of-way once the pipeline is installed.

Q. PLEASE DISCUSS ANY IMPACTS OF THE PROPOSED PIPELINE ON AIR QUALITY.

A. The project has no expected additional impacts on regional air quality. There are no compressor stations or required air permits associated with this project.

Q. PLEASE DISCUSS ANY IMPACTS OF THE PROPOSED PIPELINE ON THREATENED OR ENDANGERED SPECIES.

A. As discussed in the Application and as can be seen in the docket for this proceeding, agency communications have been made with U.S. Fish and Wildlife Service (USFWS) and the Ohio Department of Natural Resources (ODNR). The project has a low to moderate potential to impact Indiana and northern long-eared bats during the maternity roosting season. As per agency recommendations, any

maternity tree clearing will be planned to occur outside of the maternity roosting windows for these species. If any maternity tree clearing is required inside this window, then USFWS approved mist net studies will be conducted by bat specialists and the results approved by the USFWS before tree clearing occurs. ODNR identified numerous fish species of concern and recommended no in-water work in perennial streams from April 15 through June 30, to reduce impacts to indigenous aquatic species. Duke Energy Ohio will follow these recommended guidelines; any in-stream work that may need to be completed within this window will only be permitted after further coordination with ODNR biologists. ODNR also identified the Sloan's Crayfish and numerous species of threatened and endangered mussels as possibly being found in the project area. Any in-stream work planned in the potential habitat areas of these species will follow ODNR guidelines and Duke Energy Ohio will commence further ODNR coordination with regard to these areas once the final route has been selected and stream crossing methodologies finalized. Due to the urban density along the project routes, other species of concern are unlikely to be found along the project routes, as per the ODNR response.

Q. PLEASE DISCUSS ANY IMPACTS OF THE PROPOSED PIPELINE ON EROSION.

A. Project construction has the potential to create soil erosion and sediment mobilization from the project site. The project will comply with Ohio EPA National Pollutant Discharge Elimination System construction storm water permitting rules to control erosion and sedimentation beyond the project limits.

Construction storm water compliance activities, including regular monitoring inspections and structural control maintenance, will continue until the project right-of-way and workspaces are permanently stabilized as per Ohio EPA General Construction Storm Water Permit OHC000005. Duke Energy Ohio will also coordinate with the City of Cincinnati and Hamilton County to obtain required Excavation and Fill and Earthworks permits, respectively.

Q. IS THE BOARD REQUIRED TO CONSIDER THE IMPACT OF THE PROPOSED PIPELINE ON AGRICULTURE?

A. Yes.

Q. PLEASE EXPLAIN.

A. There is no active agricultural land affected by the project as proposed.

Q. IS THE BOARD ALSO REQUIRED TO CONSIDER THE IMPACT OF THE PROPOSED PIPELINE ON AVIATION?

A. Yes.

Q. PLEASE EXPLAIN.

A. As a buried natural gas pipeline, there are no project impacts to active aviation facilities.

III. CONCLUSION

Q. DOES THIS CONCLUDE YOUR PRE-FILED DIRECT TESTIMONY?

A. Yes.

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Summary: Testimony Direct Testimony of Stephen R. Lane on Behalf of Duke Energy Ohio, Inc. electronically filed by Carys Cochern on behalf of Duke Energy