

REPLY TO COMMENTS
OF J. PODIAK
14-1754-GA-BLN

Butler, Matthew

From: Puco ContactOPSB
Sent: Thursday, December 18, 2014 1:12 PM
To: 'Jim Podiak'; Puco ContactOPSB
Cc: gardner@ohiosenate.gov; tim.brown@ohiohouse.gov; michael.sheehy@ohiohouse.gov; twetmore@ohiosenate.gov; daniel.james@ohiohouse.gov; peter.bucher@ohiohouse.gov
Subject: RE: Supplemental Comments on Case 14-1754

Mr. Podiak,

Thank you for again contacting the Ohio Power Siting Board (OPSB) regarding North Coast Gas Transmission's proposed Oregon Lateral Pipeline. Your comments will be added to the record for case number 14-1754-GA-BLN for the Board and its staff to review.

Sincerely,

Matt Butler
Public Outreach Manager
Ohio Power Siting Board
Public Utilities Commission of Ohio
614-644-7670
OPSB.ohio.gov



This message and any response to it may constitute a public record and thus may be publicly available to anyone who requests it.

From: Jim Podiak [<mailto:jim.podiak@me.com>]
Sent: Thursday, December 18, 2014 12:51 PM
To: Puco ContactOPSB
Cc: gardner@ohiosenate.gov; tim.brown@ohiohouse.gov; michael.sheehy@ohiohouse.gov; twetmore@ohiosenate.gov; daniel.james@ohiohouse.gov; peter.bucher@ohiohouse.gov; Jim Podiak
Subject: Supplemental Comments on Case 14-1754

Case 14-1754
Parcel # P57-300-360000016000

Farm location:
28961 Oregon Rd.
Perrysburg, Oh 43551

Home Phone 419-874-5046
Cell Phone 419-973-2398
E-Mail jim.podiak@me.com

Supplement to Comments submitted on 12/17/2014.

On Tuesday, 12/16/2014 the staff of the Ohio Power Siting Board entered a filing in the record for the proposed North Coast gas pipeline (see attached). It contained the following staff question and the pipeline company response regarding avoidance of negative impacts on **future development potential** for a particular property:

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician MN Date Processed DEC 18 2014

RECEIVED-DOCKETING DIV
2014 DEC 18 PM 3:00
PUCO

"15. Please explain why the proposed route jogs south immediately east of Drouillard Road, bringing it closer to the residence at 30930 Drouillard Road.

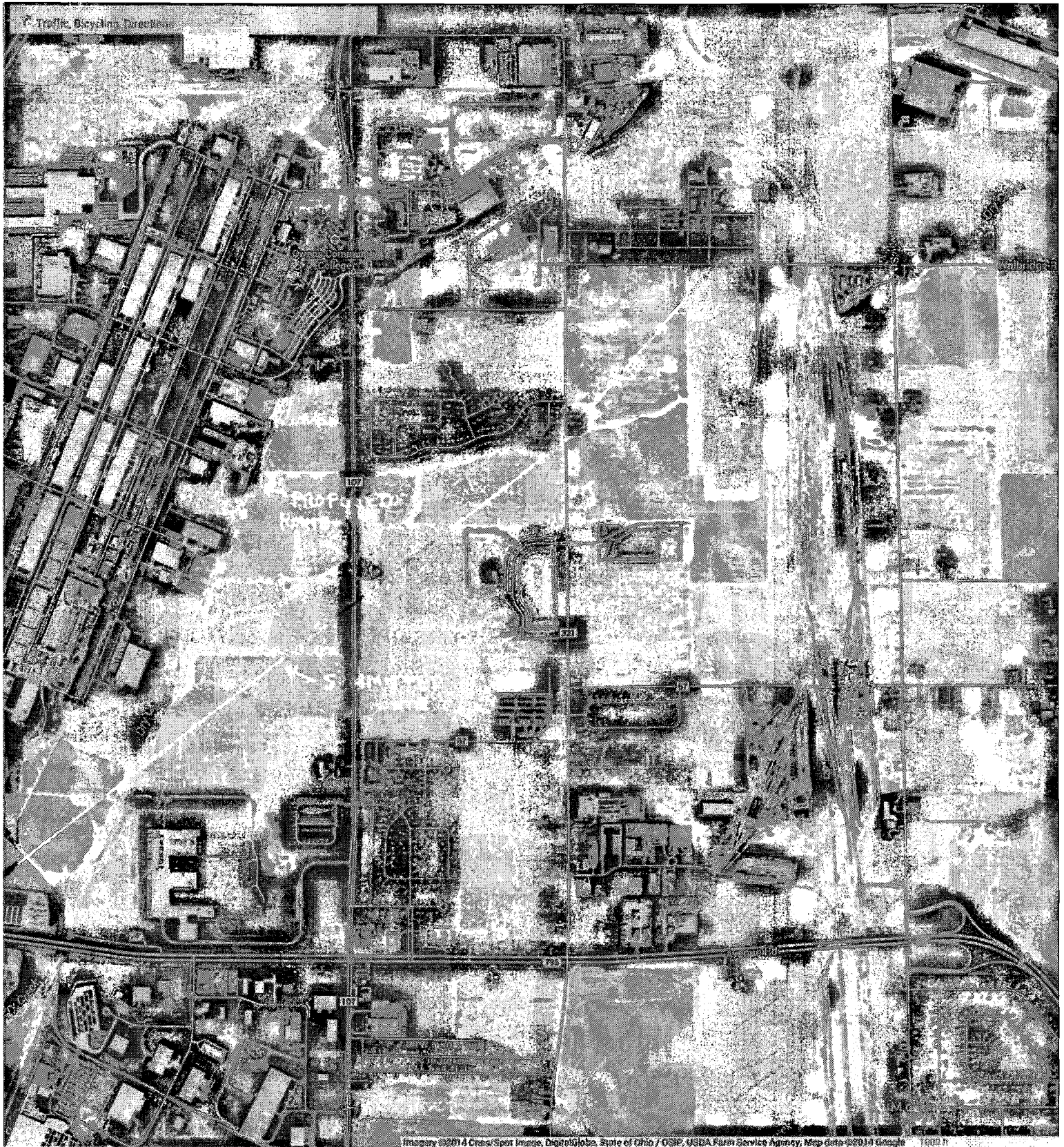
Response 15. The location of the utility tower on the west side of the railroad tracks determined the location of the pipeline as it heads eastward and crosses Drouillard Road.

Where feasible, the pipeline was sited near parcel boundaries to reduce impacts for future development."

Based on the above North Coast Gas response to question 15, we ask why the same concern for "future development" was not sufficient cause to run the pipeline along our Western property boundary as opposed to the diagonal route thru our property? Our West side boundary is the North-South RR Track. The same logic and question applies to the adjacent property on our North boundary owned by Paul Swartz and siblings.

The same question applies to many other affected properties in Perrysburg Township.

Thank You,
Janet Podiak, Craig Biniker & Nancy Kerwin
Joint Owners



**North Coast Gas Transmission LLC's Responses to Staff's First Set of Data Requests
Issued in Case No. 14-1754-GA-BLN**

1. Would construction impact any hayfields or Conservation Reserve Program properties?

Response 1. The agricultural areas that would be temporarily impacted from the construction of the Oregon Lateral were discussed on page 10 of the LON, submitted on October 7, 2014. The area of temporary impacts on these parcels was provided in Table 4 in the LON. However, the table did not specify the agricultural use on each parcel because of the various crop rotation schedules that are utilized by the farmers to maintain crop yields on these fields. The USDA and NRCS have been contacted for information regarding all of the properties that will be utilized for the construction of the pipeline and if they are under any sponsored programs with these agencies. NCGT will comply with any contractual agreements, if applicable, made between the landowners and these agencies.

2. Has the Applicant coordinated with the managers of Side Cut Metro Park and Rivercrest Park? What has been the result of this coordination?

Response 2. NCGT has been in contact with the Director of Natural Resources for the Toledo Metro Parks and provided portions of the Ecological Report that were applicable for the Side Cut Metro Park. West Erie Realty Solutions has been contracted by NCGT to negotiate the acquisition of the easements for the construction of the pipeline. Coordination is underway for all of the properties affected by the construction of the pipeline. No other information is available at this time to report on coordination with representatives of the Side Cut Metro Park or the Rivercrest Park.

3. Please provide a shapefile of the all areas which will be bored including the bore set up area, if these locations have been determined.

Response 3. These areas are currently being designed and have not been determined. The bore set up areas will be indicated on the construction drawings for the pipeline project and submitted to the staff prior to the construction of the pipeline. A shape-file for the limits of disturbance (easements) for the project was provided to the staff on October 9, 2014 the bore set up areas will not extend outside of this defined area.

4. Has the Applicant provided the information regarding the Indiana bat requested by the USFWS? If yes, what is the status of this coordination?

Response 4. Yes, see Exhibit G in the LON, Table 3.5 and see the attached correspondence from the USFWS.

5. Has the Applicant completed habitat assessments for the prairie fringed orchid in accordance with the USFWS's recommendation? If yes, what is the status of this coordination?

Response 5. Yes, see Exhibit G in the LON, Table 3.4 and see the attached response from the USFWS.

6. Has the Applicant completed habitat assessments for the eastern massasauga rattlesnake in accordance with the USFWS's recommendation? If yes, what is the status of this coordination?

Response 6. Yes, see Exhibit G in the LON, Table 3.4 and see the attached response from the USFWS.

7. Has the Applicant completed habitat suitability surveys for the Blanding's Turtle in accordance with the ODNR's recommendation? If yes, what is the status of this coordination?

Response 7. Yes, see Exhibit G in the LON, Table 3.4. The Ecological Report for the project did not identify any specimens or suitable habitat for the Blanding's Turtle. A response from ODNR on the findings of the Ecological Report is expected mid-December.

8. Has the Applicant completed surveys for the *Muhlenbergia cuspidata* and *Sphenopholis obtusata* var. *obtusata* in accordance with the ODNR's recommendation? If yes, what is the status of this coordination?

Response 8. Neither of these species were observed within the project area. The LON at Exhibit F included email correspondence dated September 20, 2014 from Mr. Karr with the Mannik Smith Group addressing this issue. A response from ODNR on the findings of the Ecological Report is expected in mid-December.

9. Aside from the species listed above, is there any other ongoing coordination with USFWS or ODNR at this time?

Response 9. Aside from the response from ODNR that is expected in mid-December on the Ecological Report, the only ongoing coordination for the project is between the USFWS and the USACE for a section 7 consultation with the crossing on the Maumee River and the Section 10 Permit through the USACE.

10. The Applicant indicated that they intend to purchase the house crossed by the pipeline at the end of Old Trail Road. What is the status of this negotiation? Is this house currently occupied? If the owner is not willing to sell, is there an alternative location the line could be moved to?

Response 10. There were a number of constraints in trying to route the pipeline through this area, including the location of the ODOT Limited Access, multiple existing pipelines in the immediate area, numerous mature trees, and the location of multiple existing structures on the property. Alternative routes for the pipeline are extremely limited and in NCGT's opinion would cause more disruption than the option of purchasing and removing (or moving) one of the existing structure on the property. The structure is a small, older home that appears to be unoccupied. NCGT has contracted with West Erie Realty Solutions to negotiate the easement agreements for the Oregon Lateral. No other information is available to report at this time on this particular property.

11. Will all construction activity behind the parcels on Goldenrod Lane and Prairie Rose Drive be limited to the transportation right-of-way? If not, please describe any impact to private property, including the loss of vegetation screening the parcels from 475/23.

Response 11. The slope of the bank toward I-475/US-23 makes utilizing the transportation right-of-way impracticable. The construction of the pipeline crosses through 12 parcels, most of which are vacant, along this portion of the I-475/US-23 corridor. Vegetation within the construction rights-of-way will be removed as necessary for the installation of the pipeline and safety of the construction workers on-site. Vegetation will be restored as dictated by the easement agreements.

12. Will all construction activity behind the residences on Catawba Drive be limited to the transportation right-of-way? If not, please describe any impact to private property, including the loss of vegetation screening the parcels from 475/23.

Response 12. The construction activities will occur in both the transportation right-of-way and along the back sides of the private properties along this portion of the I-47/US-23 corridor. The Oregon Lateral's right-of-way will cross through 8 parcels. The width of the easement across these properties is forty-foot wide (twenty-foot permanent and twenty-foot temporary). NCGT has an agreement to use a ten-foot wide work space within the transportation right-of-way that enabled NCGT to minimize the impacts to the landowners and the mature trees along this portion of the corridor. The vegetation within the construction right-of-way will need to be removed for the installation of the pipeline and safety of the construction workers on-site. Vegetation will be restored as dictated by easement agreements.

13. Will all construction activity behind Taylor Hyundai, the businesses on Southpoint Road, and the businesses on Flagship Drive be limited to the transportation right-of-way? If not, please describe any impact to private property.

Response 13. Construction activities will be limited to the transportation right-of-way in this particular area. There are no anticipated impacts to the properties along this section of the route.

14. Will all construction activity behind the residences on Bridgeview Drive be limited to the transportation right-of-way? If not, please describe any impact to private property, including the loss of vegetation screening the parcels from 475/23.

Response 14. Construction activities will be limited to the transportation right-of-way in this particular area. It is not necessary to remove the vegetative screening between the parcels and I-475/US-23 for the installation of the pipeline.

15. Please explain why the proposed route jogs south immediately east of Drouillard Road, bringing it closer to the residence at 30930 Drouillard Road.

Response 15. The location of the utility tower on the west side of the railroad tracks determined the location of the pipeline as it heads eastward and crosses Drouillard Road. Where feasible, the pipeline was sited near parcel boundaries to reduce impacts for future development.

16. Has the Applicant coordinated with the managers of the State Route 199 Fields? If yes, please describe the result of the coordination thus far.

Response 16. NCGT has contracted with West Erie Realty Solutions to negotiate the acquisition of the easements for the construction of the pipeline. Coordination is underway for all of the properties affected by the construction of the pipeline. No information is available at this time regarding coordination with representatives of the State Route 199 Fields.

17. Has the Applicant coordinated with the Northwood Local School District regarding potential impacts or disruption to the elementary and middle schools on Lemoyne Road? If yes, please describe the result of the coordination thus far.

Response 17. NCGT has contracted with West Erie Realty Solutions to negotiate the acquisition of the easements for the construction of the pipeline. Coordination is underway for all of the properties affected by the construction of the pipeline. No information is available at this time regarding coordination with representatives of the Northwood Local School District.

18. The centerline of the proposed route runs within 100-feet of over twenty homes between Curtice Road and Seaman Road. Please explain why the route generally runs along the property line in these areas, resulting in a closer proximity to residences, as opposed to generally paralleling the electric transmission lines nearer the center of the utility corridor.

Response 18. The alignment of the pipeline in this particular area was largely to accommodate FirstEnergy's desire to have the pipeline as far away from the electric transmission line as possible in areas where it was feasible to do so. FirstEnergy owns many of the properties along this section and the pipeline was routed along the eastern property lines in order to accommodate FirstEnergy's request. The additional distance between the electric transmission line and proposed pipeline in this area also reduces the hazards associated with constructing a pipeline in close proximity to an electric transmission line and also reduces the amount of AC current that can be induced onto the pipeline.

19. What is the depth of the rock in the area of the pipeline installation?

Response 19. NCGT utilized bedrock data from the Ohio Division of Natural Resource's Division of Geological Survey's "Shaded Bedrock Topography Map of Ohio" and then performed an independent geotechnical investigation along the pipeline route to establish the anticipated depth and volume of rock. Boring data from 38 holes in NCGT's geotechnical investigation showed that rock will be encountered when drilling under the Maumee River at approximately (10 feet deep), the Ohio Turnpike (at approximately 12.5 feet deep), and Route 20/23 (i.e. Fremont Pike, at approximately 12.5 feet deep). The only rock that is anticipated during the installation of the pipe is in the area between Fremont Pike and Deimling Road, which showed approximately 4,500 lineal feet of rock between two and five feet below the surface.

20. Would any blasting be required during construction? If yes, please provide a shapefile of all areas that would require blasting.

Response 20. Dynamiting or blasting activities are not anticipated for the construction and installation of the pipeline (page 22 of the LON).

**North Coast Gas Transmission LLC's Responses to Staff's Second Set of Data Requests
Issued in Case No. 14-1754-GA-BLN Relating to 10440 Neiderhouse Road**

1. Would the right of way require tree clearing?

Response 1. Yes, the trees and vegetation within the construction right-of-way would need to be cleared for the installation of the pipeline.

2. Would the trees and prairie grass habitat be able to be restored within the right of way?

Response 2. The right-of-way will be restored to as close to pre-existing conditions as possible once construction has been completed in the area, including the planting of any special grasses, as agreed upon within the easement acquisition. However, trees will not be permitted within the permanent right-of-way. Trees within the right-of-way can block access to the site in the event of an emergency on the pipeline, creating safety issues for the property owners and the emergency responders. Additionally, tree roots have the potential to wrap around pipelines damaging the coating on the pipeline, which can result in corrosion that can weaken and damage the pipeline. The Arbor Day Foundation recommends spacing for medium sized trees to be between 30-40' and 40-50' for larger trees, which could be planted on either side of the easement without issue.

3. Would the property be able to remain certified by the National Wildlife Federation and maintain its designation from Perrysburg Township as a natural area?

Response 3. The installation of the pipeline will have no effect on the certification by the National Wildlife Federation or the designation from Perrysburg Township. Several studies have been conducted on rights-of-ways and indicate that they offer several benefits to nature and wildlife. One example is from the Wildlife Habitat Council, in a cooperative effort with the USDA Natural Resources Conservation Service, where they conducted research on utility rights-of-ways and found that the corridors increase habitat diversity, are used by wildlife as travel lanes, and increase the amount of early successional habitat available to species. Several rights-of-way are certified by the Wildlife Habitat Council.

4. Would any structures on the property need to be removed?

Response 4. The removal of structures depends on their location, type, and use. Options regarding structures identified within the right-of-way are discussed with the landowner during the easement negotiations. NCGT has contracted with West Erie Realty Solutions to conduct the negotiations of easements for the construction of the Oregon Lateral Pipeline. However, to date the landowner has declined to meet with West Erie Realty Solutions.

5. Would the property owner's geothermal energy infrastructure be damaged?

Response 5. In the absence of discussing this issue with the landowner, in the event that the geothermal system is encountered and would need to be crossed by the pipeline, it would be repaired or relocated at no cost to the property owner.

6. Are there any alternatives to avoid or minimize impacts on this property?

Response 6. Some alternatives may be available to reduce impacts on this property; however, the landowner has declined to meet with West Erie Realty Solutions regarding the property. West Erie Realty Solutions will continue its outreach efforts to this landowner.

7. Has the Applicant considered boring under this property?

Response 7. Boring is reserved for areas where the benefits are greater than impacts of conventional construction methods, such as reducing impacts to surface waters (e.g., streams and high quality wetlands) and in areas where public or worker safety is a concern (e.g., railroads, interstates, and roadways). Additionally, boring under this property would not alleviate the fact that a right-of-way would still cross through this parcel and the trees would still need to be removed, as discussed in Response 2.

8. If the property cannot be avoided, how would impacts be resolved?

Response 8. The impacts can only be resolved through communications between the landowner and NCGT's representative West Erie Realty Solutions. To date, the landowner has declined to meet with West Erie Realty Solutions regarding this property. West Erie Realty Solutions and NCGT will continue outreach efforts to this landowner.

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

12/16/2014 10:59:19 AM

in

Case No(s). 14-1754-GA-BLN

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