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Sally W. Bloomfield 614.227.2368 sbloomfield@bricker.com April 28, 2016

Via Electronic Filing

Ms. Barcy McNeal Public Utilities Commission of Ohio Administration/Docketing 180 East Broad Street, 11th Floor Columbus, OH 43215-3793

Re: Clean Energy Future-Lordstown, LLC Second Amendment, OPSB Case No. 16-494-EL-BGA

Dear Ms. McNeal:

On March 14, 2016, Clean Energy Future-Lordstown, LLC ("CEFL") filed an Application for a Second Amendment to its Certificate of Environmental Compatibility granted September 17, 2015 in Case No. 14-2322-EL-BGN. Attached for filing is a copy of CEFL's responses to OPSB Staff Data Requests received on April 19, 2016 via e-mail.

If you have any questions please call at the number listed above.

Sincerely,

Sally W. Bloomfield

Attachment

Cc: Jon Whitis (w/Attachment) Grant Zeto (w/Attachment)

Jally W Broomjula



April 27, 2016

Mr. Jon Whitis Utility Specialist Ohio Power Siting Board 180 E. Broad Street, Floor 6 Columbus, Ohio 43215

Subject: Response to Comments

Clean Energy Future-Lordstown Henn Parkway, Lordstown, Ohio

Dear Mr. Whitis:

Comments from Grant Zeto were received from received on April 19, 2016 via e-mail regarding the Second Amendment for the Clean Energy Future – Lordstown facility in Lordstown, Ohio. Responses to those comments are presented below.

<u>Comment 1</u>: During field investigations staff noticed a small drainage channel within the proposed new roadway. Is this an Army Corps of Engineers jurisdictional resource? If yes, would this require any change to the current permits?

<u>Response 1</u>: Wetland and stream surveys that were conducted did not identify this as a stream, but did identify a wetland just to the south of this area. This ditch is not continuous and does meet the criteria to be defined as a stream. This discontinuous grass lined ditch was apparently installed to divert runoff away from that portion of the property during precipitation events. Storm water drainage features will be installed and maintained in accordance with measures presented in the onsite Stormwater Pollution Prevention Plan and Ohio Department of Natural Resource's Rainwater Guidance Manual.

<u>Comment 2</u>: The Applicant has proposed tree clearing during the seasonally restricted roosting season, and has stated that they are in coordination with USFWS for surveys to determine if this would be acceptable. Has the Applicant been coordinating with ODNR beyond the Natural Heritage Database inquiry? If no, please be aware that it is staff's recommendation that the Applicant coordinate with ODNR Division of Wildlife regarding this matter.

<u>Response 2</u>: The minimal amount of tree clearing associated with this Amendment is associated with the operational outfall and can be deferred until after October 1. Should the need for this schedule change, the Applicant will coordinate with both the USFWS and the ODNR.

<u>Comment 3</u>: Are the newly proposed areas of disturbance hayfield or other habitat potentially suitable for upland sandpiper?

<u>Response 3</u>: Upland sandpipers typically breed in "grasslands, pastures, and unkempt agricultural land with a mosaic of old fields and crop lands, and sometimes the grassy expanses of airports," as noted on the ODNR website. There are two



primary areas that will be impacted. The areas impacted on Parcel 7 included an access road and a Stormwater discharge line. The access road will be in an area that is regularly mowed and maintained and likely not suitable habitat for the upland sandpiper. The field on Parcel 8 is an actively farmed field and not suitable habitat for the upland sandpiper.

Please feel free to contact me if you have any questions or need any additional information. Sincerely,

Lawrence A. Drane III, P.G. Environmental Consultant

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in

Case No(s). 16-0494-EL-BGA

Summary: Response of Clean Energy Future-Lordstown, LLC to OPSB Staff Data Requests electronically filed by Teresa Orahood on behalf of Sally Bloomfield