

**BEFORE
THE OHIO POWER SITING BOARD**

In the Matter of the Application of Duke :
Energy for a Certificate of Environmental :
Compatibility and Public Need to : Case No. 16-0253-GA-BTX
Construct the C314V Central Corridor :
Pipeline Extension Project. :

**PREFILED TESTIMONY
OF
Grant T. Zeto
SITING, EFFICIENCY AND RENEWABLE ENERGY DIVISION
DEPARTMENT OF RATES AND ANALYSIS
OHIO POWER SITING BOARD STAFF**

STAFF EX. ____

April 2, 2019

1 1. Q. Please state your name and business address.

2 A. My name is Grant T. Zeto, and my business address is 180 East Broad
3 Street, Columbus OH 43215.
4

5 2. Q. By whom are you employed and what is your position?

6 A. I am employed by the Public Utilities Commission of Ohio (Commission)
7 as a Utility Specialist 2 in the Siting, Efficiency and Renewable Energy
8 Division of the Commission's Department of Rates and Analysis. My
9 position includes assigned duties by the Chairman of the Ohio Power Siting
10 Board (Board) to investigate applications filed with the Board and assist in
11 preparing reports.
12

13 3. Q. Please summarize your educational background and work experience.

14 A. I received a Bachelor of Science Degree in Environment and Natural
15 Resources from The Ohio State University, in Columbus, Ohio.
16

17 I have been employed by the PUCO since August, 2011. My
18 responsibilities during this time have primarily involved review of Power
19 Siting cases.
20

21 4. Q. Have you testified in prior proceedings before the Ohio Power Siting
22 Board?

1 A. Yes, I testified to sponsor the Staff Reports of Investigation in seven other
2 cases.

3 5. Q. What was your role in this case?

4 A. I was a Staff subject analyst for portions of the Staff Report by contributing
5 to the overall Staff investigation.

6

7 6. Q. What sections of the Staff Report of investigation did you work on?

8 A. Surface Waters, Threatened and Endangered Species, Vegetation, and
9 Pristine, Inc. Superfund Site.

10

11 7. Q. Are you responsible for any conditions in the Staff Report? If so, which
12 ones?

13 A. Yes, I am responsible for conditions 18, 19, 20, 22, 23, 24, 25, 26, 27, 28
14 and 29 in the Staff Report.

15

16 8. Q. What is the purpose of condition 18?

17 A. The project area is within the range of state and federal endangered Indiana
18 bat and the federal threatened northern long-eared bat. During cold weather
19 months the Indiana bat and northern long-eared bat hibernate in caves.

20 During the warm weather months these bats roost in trees. It is the standard
21 guideline of the United States Fish and Wildlife Service and The Ohio

1 Department of Natural Resources that tree clearing should only occur from
2 October 1 through March 31, when bats would be in caves and not in trees.
3

4 9. Q. What is the purpose of condition 19?

5 A. Review of the final construction access plan helps staff have a better
6 understanding of temporary construction impacts associated with erosion
7 and potential impacts to wildlife habitat and how impacts will be
8 minimized through best management practices. Reviewing this document
9 allows Staff to identify any final concerns and make sure they are remedied
10 prior to implementation of the plan by the Applicant's construction
11 contractors.
12

13 10. Q. What is the purpose of condition 20?

14 A. Condition 20 affords extra protection in the unforeseen event that federal
15 and/or state threatened or endangered species are encountered during
16 construction activities.
17

18 11. Q. What is the purpose of condition 22?

19 A. Portions of each route would cross within 100 year floodplain areas. Staff
20 recommended condition 22 to assure that impacts to these resources would
21 be minimized.
22

1 12. Q. What is the purpose of condition 23?

2 A. In the Application stream fords were proposed as an access method across
3 certain streams. This crossing method can disturb the streambed and bank
4 leading to erosion issue. Staff has recommended that this practice be
5 avoided in order to preserve the quality of streams.
6

7 13. Q. What is the purpose of condition 24?

8 A. The Applicant proposed horizontal directional drilling (HDD) as a pipeline
9 installation method through certain streams. This method is usually
10 preferred to open cutting as it avoids impacts to water quality and wildlife
11 habitat. However, the HDD process has a risk of an inadvertent return of
12 drilling lubricant, or frac-out. An inadvertent return occurs when the
13 drilling lubricant, typically a non-toxic, fine clay bentonite slurry, is forced
14 through cracks in bedrock and surface soils and can reach surface water
15 resources. Staff recommended that the Applicant have a plan in place in
16 order to appropriately address any impacts.
17

18 14. Q. What is the purpose of condition 25?

19 A. The ODNR stated that this project must not have an impact on freshwater
20 native mussels. The project as proposed would not directly impact any
21 streams which would provide suitable mussel habitat. The project does
22 cross streams which could potentially provide suitable habitat for mussels.

1 However, the Applicant has proposed to cross these streams via HDD or
2 conventional bore. For the unforeseen event that the proposed crossing
3 methods were no longer feasible Staff recommended condition 25, which
4 would require further efforts to avoid impacts to mussels.
5

6 15. Q. What is the purpose of condition 26?

7 A. The Applicant proposed to open cut seven perennial streams along the
8 Preferred Route and two perennial streams along the Alternate Route. The
9 ODNR Division of Wildlife (DOW) recommends no in-water work in
10 perennial streams from April 15 through June 30 to reduce impacts to
11 indigenous aquatic species and their habitat.
12

13 16. Q. What is the purpose of condition 27?

14 A. The project is within the range of the state threatened Sloan's crayfish. This
15 condition is based on the recommendations received from the DOW.
16

17 17. Q. What is the purpose of condition 28?

18 A. Condition 28 is an extra precaution to assure that if any listed state or
19 federal threatened or endangered species are unexpectedly encountered
20 during construction that they can be properly identified. The specialist
21 would also be there to assure that surface water protection best management
22 practices are appropriately implemented.

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18. Q. Conditions 18, 20, 25, 26, and 27 relate primarily to wildlife impacts. Is the proposed project expected to have a significant impact on wildlife?

A. I believe that with the protective measures outlined by these conditions, along with the location and nature of the proposed project that no significant impacts to wildlife would occur.

19. Q. Conditions 19, 22, 23, 24, and 28 relate primarily to surface water resources. Is the proposed project expected to have a significant impact on surface water resources?

A. I believe that with the protective measures outlined by these conditions, along with the location and nature of the proposed project that no significant impacts to surface water resources would occur.

20. Q. Condition 29 relates to remedial components associated with the Pristine, Inc. Superfund Site. Is the proposed project expected to have a significant impact on this infrastructure?

A. I believe that with the protective measures outlined by condition 29 along with the location and nature of the proposed project that no impacts to remedial components associated with the Pristine site would occur.

21. Q. Does this conclude your testimony?

1 A. Yes it does. However, I reserve the right to submit supplemental testi-
2 mony, as new information subsequently becomes available or in response
3 to positions taken by other parties.

PROOF OF SERVICE

I hereby certify that a true copy of the foregoing Prefiled Testimony of Grant T. Zeto, submitted on behalf of the Staff of the Ohio Power Siting Board, was served via electronic mail, upon the following parties of record, this 2nd day of April, 2019.

/s/ Steven L. Beeler

Steven L. Beeler

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Summary: Testimony of Grant T. Zeto electronically filed by Ms. Tonnetta Scott on behalf of
PUC