



Vorys, Sater, Seymour and Pease LLP
Legal Counsel

52 East Gay Street
P.O. Box 1008
Columbus, Ohio 43216-1008

614.464.6400 | www.vorys.com

Founded 1909

Michael J. Settineri
Direct Dial (614) 464-5462
Direct Fax (614) 719-5146
Email mjsettineri@vorys.com

February 14, 2020

Tanowa Troupe, Secretary
Ohio Power Siting Board
180 E. Broad Street, 11th Floor
Columbus, OH 43215

Re: Case No. 19-1742-GA-BLN
Long Ridge Energy Generation LLC

Dear Ms. Troupe:

On November 19, 2019, Long Ridge Energy Generation LLC filed a letter of notification in Case No. 19-1742-GA-BLN for approval of a natural gas pipeline. The Ohio Power Siting Board's Staff issued a report on February 11, 2020 recommending approval of the project and listing recommended conditions for the project. Please be advised that Long Ridge Energy Generation LLC accepts and does not object to Staff's recommended conditions as set forth in the Staff Report.

In addition, in compliance with Condition 2 in the February 11, 2020 Staff Report, enclosed is a copy of the authorization for the Project from the Army Corps of Engineers under Nationwide Permit 12.

Very truly yours,

/s/ Michael J. Settineri

Michael J. Settineri
Attorney for Long Ridge Energy Generation LLC

MJS/mwt

Enclosure



DEPARTMENT OF THE ARMY
PITTSBURGH DISTRICT, CORPS OF ENGINEERS
WILLIAM S. MOORHEAD FEDERAL BUILDING
1000 LIBERTY AVENUE
PITTSBURGH, PA 15222-4186

January 29, 2020

Regulatory Division
LRP-2020-52

Eureka Midstream, LLC
c/o Dustin Howarth
2200 Energy Drive
Canonsburg, PA 15317

Dear Mr. Howarth:

I refer to your Department of the Army permit application, received in this office on January 22, 2020, regarding your proposal to temporarily impact 508 LF Stetson Run, and UNT's to the Ohio River, to construct a 12" natural gas well line (EHP418 Pipeline) to transport natural gas between an existing pipeline valve and a processing facility, in Ohio Township, Monroe County, Ohio.

Activities associated with projects of this type are authorized by Nationwide Permit (NWP) No. 12 – Utility Line Activities, previously issued by the Corps of Engineers, for purposes of Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. These NWPs were published in the January 6, 2017 issue of the Federal Register. This project has been verified to comply with all applicable regional conditions and water quality certification conditions as published in Public Notice LRH-2016-00006-OH on March 21, 2017.

For a list of conditions which must be followed for the NWP to be valid, refer to:
<https://www.lrh.usace.army.mil/Portals/38/Users/007/87/1287/2016-00006-OH.pdf?ver=2017-04-11-102404-443>

Special Conditions:

1. The project site lies within the range of the Indiana bat (*Myotis sodalis*), a federally-listed endangered species and the northern long-eared bat (*Myotis septentrionalis*), a federally-listed threatened species. Several factors have contributed to the two species decline, including habitat loss, fragmentation of habitat and the disease White Nose Syndrome. During winter, the two bat species hibernate in caves and abandoned mines. Suitable summer habitat

for the Indiana bats and the northern long-eared bats consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥ 3 inches diameter at breast height (dbh) that have any exfoliating bark, cracks, crevices, hollows and/or cavities), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of other forested/wooded habitat. The permittee will preserve wooded/forested habitats exhibiting any of the characteristics listed above wherever possible. Should suitable habitat be present that cannot be saved during construction activities, any trees ≥ 3 inches dbh will only be cut between October 1 and March 31.

2. Prior to construction activity beginning on the site, high visibility fencing (such as orange construction fencing) shall be placed around all wetlands that are not proposed to be impacted by the construction activities at the site.
3. The limit-of-disturbance for construction activities that take place in, or adjacent to streams and wetlands shall be clearly marked before and during construction activities at the site.
4. Appropriate erosion and sedimentation controls shall be implemented during construction activities.

Adherence to these conditions will permit you to proceed with the proposed project. Please note, the enclosed Compliance Certification Form must be signed and returned to this office upon completion of the proposed work.

An Individual Section 401 Water Quality Certification (401 WQC) or a waiver must be obtained from the Ohio Environmental Protection Agency (Ohio EPA) to validate this NWP verification. No work in waters of the United States in association with this project may commence until you receive the required 401 WQC (or waiver) from the Ohio EPA.

The verification of this NWP is valid until March 18, 2022, unless the NWPs are modified, suspended, or revoked. If project specifications are changed or work has not been initiated before March 18, 2022, please contact this office for further verification.

The verification of this NWP will not relieve you of the responsibility to obtain any other required state, local, or Federal authorizations.

If you have any questions, please contact Michael D. Engelhardt by phone at (412) 395-7141 or email at michael.d.engelhardt@usace.army.mil. Please complete our

customer survey online and provide us with feedback at
http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0.

Sincerely,

\\SIGNED\\

Tyler J. Bintrim
Chief, North Branch
Regulatory Division

Enclosure

cc:
OH EPA
Soil and Conservation District

Compliance Certification Form

PERMIT NO: LRP-2020-52

NAME OF PERMITTEE: Eureka Midstream, LLC

DATE OF ISSUANCE: January 29, 2020

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

U.S. Army Corps of Engineers
Pittsburgh District
Regulatory Division, Room 2200
William S. Moorhead Federal Building
1000 Liberty Avenue
Pittsburgh, PA 15222-4186

Please note that your permitted activity is subject to compliance inspection by a U.S. Army Corps of Engineers Representative. If you fail to comply with this permit, you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit conditions.

Signature of Permittee

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

2/14/2020 5:15:43 PM

in

Case No(s). 19-1742-GA-BLN

Summary: Correspondence Regarding Acceptance of Conditions and Compliance with Condition No. 2 electronically filed by Mr. Michael J. Settineri on behalf of Long Ridge Energy Generation LLC