February 12, 2020

Ms. Dana Drake
Pennsylvania Department of Environmental Protection
Southwest Regional Office
Waterways & Wetlands Program
400 Waterfront Drive
Pittsburgh, PA 15222

Re: Response to Technical Deficiency Letter for Permit No. PAD630045 for the Beech Hollow Energy Center Transmission Line

Dear Ms. Drake:

Burns & McDonnell Engineering Company, Inc., on behalf of Robinson Power Company, LLC, submits the enclosed and revised Notice of Intent, E&S Plan, and Site Restoration Plan for the Beech Hollow Energy Center Transmission Line (Permit No. PAD630045) in response to the Technical Deficiency Letter received on November 15, 2019. Please see the below responses to each deficiency. Please contact me at (816) 363-7275 or sgilstrap@burnsmcd.com if you have any questions.

WCCD COMMENTS:

1. **§102.4(b)(5)(ix): Clearly label and number the filter socks throughout the project. The labeling should closely match the filter sock table provided in the narrative.**

The compost filter socks throughout the Project have been labeled and numbered to match E&S Worksheet 1 in Appendix C of the E&S Plan.

2. **§102.4(b)(5)(ix): Provide the filter sock diameter located south of structure 66.**

The diameter of the compost filter sock located south of Structure 66 is indicated on E&S Worksheet 1 in Appendix C and E&S Drawing EC-101. Diameter details are provided in the drawing legend.

3. **§102.4(b)(5)(ix): Describe the grading that is required at the pull sites and pad locations. Temporary grading should be shown for pull sites, pads, and access roads.**

Temporary grading will be required at the pull sites and structure pad locations to facilitate equipment access and construction activities. Following construction, the pull site, pad, and access road areas will be restored to pre-construction cover type. Contours will be restored to pre-construction conditions to the extent practicable. The E&S Drawings have been updated to show the proposed temporary grading along the temporary access roads and at the pull sites and structure pads.

4. **§102.4(b)(5)(vi): Clearly explain in the project description what earthwork will take place outside of the pad and access road areas. Will existing vegetation be removed, and/or will tree stumps be removed?**

Section 3.1 on page 3-1 of the E&S Plan narrative has been updated to describe the removal of existing vegetation and tree stumps within the Project limits of disturbance.

5. **§102.4(b)(5)(vi): Will ROW clearing be conducted by hand or through mechanical means? Clearly explain this in the project description.**

Vegetation clearing within PFO wetlands and within the 100 feet of stream banks will be conducted by hand and avoided to the extent practicable, while still providing safe conditions for construction and maintenance. Clearing outside of sensitive areas, including wetlands and stream corridors, will be conducted through mechanical means. Section 3.1 on page 3-1 of the E&S Plan narrative has been updated to further describe vegetation clearing methods. Additionally, text has been added to E&S Drawing GN-101.

6. **§102.4(b)(5)(ix): Station numbers should be included on the OHWCL centerline.**

The E&S Drawings have been updated to show station numbers on the OHWCL centerline.

7. **§102.4(b)(5)(ix): Consider numbering and labeling pulling sites on the plan drawings.**

The pulling sites are now clearly numbered and labeled on the E&S Drawings.

8. **§102.4(b)(5)(ix): As vegetated filters are proposed, the locations should be called out on the plan drawings at the proposed locations. Refer to Table 4.6 in the E&SPC Manual.**

The Project does not intend to install or maintain vegetated filters as a managed BMP as described in the E&SPC Manual. However, vegetated areas will be left undisturbed to the extent practicable to manage stormwater runoff from the Project ROW. Vegetated filter language has been removed from the E&S Plan narrative and the E&S Notes on Drawings EC-101 through EC-168.

9. **§102.4(b)(5)(ix): Contour lines indicate a potential drainage feature west of structure 63. Clearly indicate if this feature will be impacted by structure 63 activities. Compost filter socks extend into this feature.**

At the time of the wetland and stream field survey, the area in question was a swale in a pasture field. The swale lacked a defined bed and bank and ordinary high-water mark and, therefore, was not delineated as a stream. Historic aerial photos show this area was covered in trees and brush. Compost filter sock has been adjusted to avoid the swale.

10. **§102.4(b)(5)(ix): Sheet #18, it is unclear what is proposed in this area. Provide notes and additional description on this sheet. The LOD is shown but no other information is provided.**

For FirstEnergy communications from Strope Road to the backhaul network, FirstEnergy needs to lease (2) single-mode strands from the Project's fiber build from Beech Hollow to Strope Road. E&S Drawing EC-113 has been updated to describe the proposed FirstEnergy fiber communications work.

11. **§102.4(b)(5)(ix): Perimeter E&S BMPs should be implemented for the construction of TR42 and TR20. All access roads should be evaluated for temporary E&S BMPs during construction.**

Compost filter sock has been added downslope of temporary access roads that parallel or could drain to wetlands and surface waters.

12. **§102.4(b)(5)(ix): Clearly show how the pull area north of structure 42 will be accessed (Sheet 29).**

During further evaluation of the transmission line design, it was determined that the pull area north of Structure 42 will not be needed. E&S Drawing EC-124 has been updated.

13. **§102.4(b)(5)(ix): Wetland protective fence should be provided at wetland WKR42 and KR23. All wetlands within the project limits should be clearly marked and protected.**

The E&S Drawings have been updated to show construction fence, with a 10-foot offset, along the perimeter of wetland protection areas within the limits of disturbance and in close proximity to roads and structure/pulling pads.

14. **§102.4(b)(5)(ix): The waterbars at TR35, station 17+50 and TR7, station 12+00 outlet directly to wetlands. No BMPs are provided between the access road and the wetlands.**

TR35 at station 17+50 is an existing road, and no grading will be required. Water bars have been removed from this segment of the road. The waterbars along TR7, at station 12+00, have been adjusted.

15. **§102.4(b)(5)(ix): Additional topographic contours and the stream location should be provided below the pull site southeast of structure 31. Inadequate detail is provided below the pull site.**

Activities within the pulling site will not impact the stream located to the south. Compost filter sock will be installed downstream of the pulling site as a precautionary measure. See E&S Drawing EC-137.

16. **§102.4(b)(5)(ix): Provide additional contour lines around access road TR28 and TR8. Insufficient information is provided to determine drainage patterns in this area.**

Contour lines are provided along TR28 and TR8, including the existing contours measured during the topographic survey and the temporary grading contours proposed for access road construction.

17. **§102.4(b)(5)(ix): Provide the filter sock diameter at the pull site west of structure 63.**

As indicated in the drawing legend, the filter sock diameter is 32 inches.

18. **§102.4(b)(5)(ix): The northwest corner of the pull site is unprotected. Provide adequate BMPs in this area. (Sheet 8)**

Compost filter sock is provided at the northwest corner of the pull site. See E&S Drawing EC-103.

19. **§102.4(b)(5)(ix): For TR63B, a compost filter sock is proposed across the culvert outlet. Filter sock should not be implemented in areas of concentrated flow. Other areas where this is observed is TR16(11+40), TR46(15+40), TR33(20+15 & 15+20) & TR32(15+50).**

Compost filter sock is no longer proposed as outlet protection. Sediment trap outlet basins (Detail #8-6 from the Erosion and Sediment Pollution Control Program Manual) are now proposed to be installed at culvert outlets. The E&S Drawings have been updated accordingly.

20. **§102.4(b)(5)(ix): The outlet protection detail provided shows filter sock as outlet protection. Filter sock should not be used in areas of concentrated flow. Please review and revise this detail.**

Compost filter sock is no longer proposed as outlet protection or in areas of concentrated flow. Detail #8-6 from the Erosion and Sediment Pollution Control Program Manual is now proposed to be installed across culvert outlets. The E&S Drawings have been updated accordingly.

21. **§102.4(b)(5)(ii): Please provide a note with the soil limitations and resolutions that cuts and fills will be conducted under the supervision of a geotechnical engineer.**

The requested note has been added to Table 2-3 on page 2-3 of the E&S Plan narrative and Table 2-3 on page 2-3 of the Site Restoration Plan narrative.

22. **§102.4(b)(5)(ix): Several buildings are located below the waterbar outlet at TR26 (Sheet 51) sta13+75. Review the outlet location and consider relocating the outlet to discharge away from the existing structures.**

The waterbar outlet at TR26 on Sheet 51 of the E&S Plan drawings has been adjusted to direct stormwater runoff away from the existing buildings.

23. **§102.4(b)(5)(ix): The waterbar at TR19, station 11+00 is shown discharging to the wrong side of the roadway. Runoff will flow back into the roadway as shown.**

The waterbar at TR19 has been relocated to direct runoff away from the roadway.

24. **§102.4(b)(5)(ix): All proposed BMPs should be ABACT BMPs due to the impairments listed. Please review all BMPs and revise accordingly. The waterbars, pump filter bags and RCEs proposed are not ABACT.**

A compost sock ring will be added around pump filter bags, and the rock construction entrances will be installed with wash racks to make these BMPs ABACT. On active access roads, a log or steel pipe will be installed to provide reinforcement of the berm and maintain the integrity of the waterbar between maintenance operations. The details on E&S Drawing GN-102 and DT-101 through DT-103 have been updated accordingly.

25. **§102.4(b)(5)(iv): A spot check of the filter sock table shows that several filter socks exceed the maximum slope lengths. Filter socks 30, 72, 76, 79 and 81 have slope lengths in excess of that shown in the E&S Manual. Please review all filter socks are adequate.**

Burns & McDonnell has reviewed all proposed filter silt sock locations. Some adjustments have been made; however, it seems the main concern was regarding the length of slope above the barrier and how it seemed long in comparison to Figure 4.2 of the E&S Manual. Our length

measurements started at the highest elevation of the watershed, whether it was in the Project ROW or not. In many cases, the maximum length was reached before entering the ROW. The only way to stay within the maximum length was to add filter socks well upstream of the ROW. In these instances, the maximum diameter filter sock has been placed downstream of the disturbed area. Due to the terrain of the Project area, strictly adhering to Figure 4.2 of the E&S Manual would require placing filter sock outside of the Project ROW and a much larger LOD.

26. **§102.4(b)(5)(ix): The roadway detail shows a ditch and culvert, will the ditch and culvert be used on site? Proposed ditches and ditch relief culverts should be shown on the plan drawings. The application of this detail should be clarified.**

The ditch and culvert detail will be used onsite, where appropriate, to convey stormwater in low areas along the temporary access roads, as marked on the E&S drawings.

27. **§102.4(b)(5)(ix): The sheet numbers and TR numbers referenced on the Temporary Roadway table in the typical details do not match the actual drawings. The references in the table should be reviewed and revised.**

The Temporary Roadway table has been updated to match the drawings.

28. **§102.4(b)(5)(iv): The slope lengths provided in the Temporary Roadway table should be reviewed. The overall roadway slope should not be averaged. The plan sheets show all waterbars on 150' spacing. The waterbar spacing may vary based on the actual slope length. Refer to the spacing table provided with the details.**

The slope lengths provided in the Temporary Roadway table have been updated to remove averages. The waterbar spacing on the E&S Drawings has also been updated based on the actual slope length and are no longer set at 150-foot intervals.

29. **§102.4(b)(5)(ix): The aerial photos shown on plan sheet 70 show active industrial activity taking place, the access road waterbars outlet into these areas. Is the surrounding activity still occurring? If so, please consider where waterbars directly outlet.**

The waterbar outlets have been adjusted to avoid discharging runoff to the industrial area.

30. **§102.4(b)(5)(ix): The specific temporary roadway crossing method should be called out at each crossing. The crossing method should be consistent with the Chapter 105 permits.**

The E&S Drawings have been updated to call out the specific temporary roadway crossing method at each stream crossing. These crossing methods are consistent with information provided in the Chapter 105 application.

31. **§102.11(a)(1): Waterbars are not recommended for active access roads (page 21 of the E&SPC Manual). Consideration should be given to the BMPs described on pages 23 through 29 of the E&SPC Manual until the access road is retired.**

Where waterbars are used on active access roads, a log or steel pipe will be installed to provide reinforcement of the berm and to maintain the integrity of the waterbar between maintenance operations. Additional information has been added to the E&S Plan narrative and drawings.

32. **§102.4(b)(5)(x): The BMP maintenance section should be updated to reference runoff event, rather than rainfall event.**

The BMP maintenance section in Chapter 4.0 of the E&S Plan narrative and on E&S Drawing GN-102 has been updated as requested.

DEP COMMENTS:

1. **§102.6(a)(1): Please provide the Act 14/67/68/127 notification receipt for Smith Township.**

Smith Township did not return the certified mail receipt. However, it did complete and return the provided Municipal Land Use Letter form, which was mailed to Smith Township with the Act 14/67/68/127 letter. The completed and returned form should qualify as proof of Act 14/67/68/127 notification submittal to Smith Township.

2. **§102.6(a)(2): Please explain why there are two PNDI "spreads". What does this refer to? If they are both the overall transmission line, please submit a large project PNDI for linear projects.**

Both "spreads" represent the overall transmission line. An updated PNDI has been submitted which includes the entire transmission line ROW. See attached documentation.

3. **§102.6(a)(1): Provide archaeological and aboveground structure clearance for PHMC, specifically the sites 36Wh505 & #001, PA SHPO Key #802172 mentioned within the PHMC letters.**

Please see attached clearance letters from the PHMC. The letter and Project Review Form submitted to the PHMC included the old northern alignment of the transmission line, and it crossed site 36WH505. However, Robinson Power is using the southern alignment of the transmission line, which does not cross 36WH505. The southern alignment crosses 36WH0512 and 36WH0365, and a No Effect determination was issued for archaeology.

4. **§102.6(a)(1): Provide the GP-5 and GP-8 permit numbers that are being registered with the Washington County Conservation District within the NOI. Provide proof of receipt of the Chapter 105 permits for this phase or section.**

The Chapter 105 application for the Beech Hollow Transmission Line Project was submitted to the Washington County Conservation District on January 16, 2020. The application is currently being evaluated for completeness. The associated GP-5 and GP-8 permit numbers are GP056300220005 and GP086300220002, respectively.

5. **§102.6(a)(1): Please revise the location map within Appendix A to show the area of the project (transmission line).**

Please see the updated location map in Appendix A which only includes the area of the Project transmission line.

6. **§102.8(f)(5): Please revise Table 2 of the watercourse delineation report to include the UNT stream names. Little Raccoon Run is not shown within Table 2; however, it is represented within the NOI.**

Table 2 of the watercourse delineation report has been updated to include the UNT stream names. Please see the attached pages.

7. **§102.6(a)(1): The latitude and longitude within the NOI is different than the GIF. Provide start and end coordinates since it is a linear project.**

The GIF submitted with the Ch. 102 application represents the entire Beech Hollow generation project and has been submitted with all PA DEP applications, to date, for the Beech Hollow Energy Project. The enclosed GIF represents only the Beech Hollow Transmission Line Project. The coordinates provided in the NOI now match those in the enclosed GIF.

8. **§102.8(f)(5): Provide the Chapter 93 designation reference for streams listed in Section C.5.**

Section C.5 of the NOI has been updated to indicate that all listed streams are designated as Warm Water Fishes (WWF).

9. **§102.8(f): Page 1-2 of the site restoration narrative states four (4) towers will be constructed within permit PAD630034. From previous meetings, it was discussed that these 4 towers will not be constructed within permit PAD630034 and have been removed from the applicable plan sheets. Please explain.**

Burns & McDonnell staff provided inaccurate information at the 10/10/19 meeting with the PA DEP. Burns & McDonnell's intent has always been to permit the construction of five transmission tower foundations along the perimeter of the power block with the Beech Hollow generation site (PAD630034). Because the southwestern slope of the power block must be stabilized to mitigate potential landslide risks, it makes sense to install the tower foundations at the same time to avoid additional slope disturbance later during construction of the overhead transmission line.

10. **§102.6(a)(1): Please provide a 2nd set of the Site Restoration narrative and plans as only one was provided to the Department.**

An additional set of the Site Restoration Plan is enclosed.

11. **§102.8(f)(9): Sheet 4 does not show structure pads 1-5 as it starts with number 6. Please explain and refer to comment #9 above. (Note that Page 1-2 only mentions four (4) towers, whereas five (5) are shown to be included within another permit from the plan sheet provided.)**

As previously explained, Structures 1-5 are located along the perimeter of the generation site power block and within the switching station, and the construction of these structure pads is being permitted with the Beech Hollow generation site (PAD630034).

12. **§102.8(f)(9): Sheet 21 shows contours that depict a watercourse which is not delineated or called out. Please access. Sheet 24 shows contours that depict a watercourse which is not delineated or called out. Please access. Sheet 31 shows contours that depict a watercourse which is not delineated or called out. Please access. Sheet 40 shows contours that depict a watercourse which is not delineated or called out. Please access. Sheets 48-49 shows contours that depict a watercourse which is not delineated or called out. Please access. Sheet 57 shows contours that depict a watercourse which is not delineated or called out. Please access.**

Sheet 21 - Burns & McDonnell's did access this area. The hill was very steep, but she did not see a swale or a stream in that location. Upon reviewing the historic aerials on Google Earth pre-substation, it appears there could have been a surface drainage in one of the images prior to 2014; however, in 2014 when the substation construction began, it disappears and is not visible in the 2014 or 2016 aerial photo.

Sheet 24 - There is a perennial stream at the bottom of the hill, east of State Road 18 (S-KR-042). Burns & McDonnell has an upland data point east of S-KR-042. No data points or photos were taken east of Structure 47. For the area east of Structure 47, a swale is apparent on the topographic map. However, historic aerial photos of this area on Google Earth do not confirm the presence of a stream. Some historic photos appear to show a farm access road to the field along this path. Burns & McDonnell's delineator walked past this area and did not delineate because it appeared to be no more than a swale and lacked a defined bed and bank.

Sheet 31 - Burns & McDonnell does not see any contours depicted. This is a ridgetop.

Sheet 40 - A stream, S-KR-032, was delineated in this area. Evidence of a defined bed and bank ended south of the LOD. The upstream limit of the stream was identified based on the existence of a defined bed and bank. A swale continues into the LOD; however, a stream is not located in the LOD. The upstream limit of this stream is indicated on Sheet 40.

Sheets 48 and 49 - This is a steep hill with a swale down the middle of the LOD. The delineator did not observe a stream on this slope or entering the perennial stream at the bottom of the hill (S-KR-023). Historic photographs of this area show a wooded area, but no evidence of a stream channel.

Sheet 57 - A wetland and stream were delineated in this area. One additional swale leads to the east from the stream. The woodlot in this area had been recently harvested. Some erosional swales were present but were largely covered with logging slash to control the erosion. The swales lacked a bed and bank and ordinary high-water mark.

13. **§102.8(f)(9): Sheet 28 shows a laydown area/pulling area which does not have an access road leading to it. There is a delineated watercourse and wetland in between which indicates a Chapter 105 authorization would be necessary. Identify these shaded areas and ensure access roads are shown on the E&S/SR Plan Sheets, where applicable.**

During further evaluation of the transmission line design, it was determined that the pulling area north of Structure 42 will not be needed.

14. **§102.8(f)(9): How will the construction be performed on Sheet 71 so that the general public on the PA Turnpike is not affected?**

The PA Turnpike is not scheduled to open until 2021. If the proposed transmission line construction is not completed in 2020, Robinson Power will be required to coordinate with the PA Turnpike Commission and provide a road closure plan to facilitate stringing and testing activities.

15. **§102.6(a)(2): Sheet 73 uses crown vetch within the seed mixtures proposed. Crown vetch is considered an invasive species plant per DCNR. Please evaluate the use of other seed mixtures that do not include crown vetch.**

The proposed seed mixture on DT-102 (E&S Plan) and DT-101 (Site Restoration Plan) has been updated and no longer includes crown vetch.

16. **§102.6(a)(2): To ensure adherence to Threatened and Endangered species restrictions and avoidance measures that are part of any PNDI clearances, the Plans and drawings need to clearly identify these locations and provide constructions notes and seasonal restrictions. Revise the plans for this application to include this information.**

Seasonal restrictions for tree clearing are included in Section 2.6 of the E&S Plan narrative on page 2-11. An additional note has been added to the E&S Notes on E&S Drawings EC-101 through EC-168. A habitat suitability assessment will be conducted in April 2020 for the Northern harrier.

Sincerely,

Sarah Gilstrap

Sarah Gilstrap, CPESC
Senior Environmental Scientist

cc: Vernon Wranosky, Burns & McDonnell
Tom Graves, Burns & McDonnell
Tim Barton, Burns & McDonnell
Bill Brackman, Burns & McDonnell
Joji Calabro, Burns & McDonnell
Raymond Bologna, Robinson Power