LRP-Pittsburgh District, PN 13-46, in Conjunction w/Baltimore District

Public Notice

U.S. Army Corps of Engineers

In Reply to Application Number
CENAB-OP-RPA–2012-3091-P12 (Texas Eastern Appalachia to Market Expansion TEAM 2014 Project)

Baltimore District
PN-13-61

Philadelphia District

Pittsburgh District

Comment Period: 10 Oct, 2013 to 10 Nov, 2013

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.

The Baltimore, Philadelphia and Pittsburgh Districts have received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act (33. U.S.C. 1344) as described below:

APPLICANT: Texas Eastern Transmission, LP
890 Winter Street, Suite 300
Waltham, Massachusetts 02451

INTRODUCTION: Texas Eastern Transmission, LP has submitted a Department of the Army permit request. Texas Eastern's project, referred to as the TEAM 2014 Project, would consist of the following: 1) Approximately 33.6 miles of 36-inch diameter natural gas pipeline comprising seven separate pipeline loops with associated facilities and horsepower upgrades at four existing compressor stations in Pennsylvania; and 2) Piping modifications and maintenance in Pennsylvania to accommodate bi-directional flow.

This Public Notice describes impacts associated with only waterways and wetlands in Pennsylvania. Associated, but separate from the work in Pennsylvania, are two proposed wetland/waterbody crossings in Mississippi, which will be reviewed for authorization by the Vicksburg District, and piping modifications and maintenance in West Virginia, Ohio, Kentucky, Tennessee, Alabama, and Mississippi, which do not involve regulated work in waters of the United States, including wetlands.

The Federal Energy Regulatory Commission (FERC) is the Lead Federal Agency for this project and is addressing all related work as part of their review. FERC's Docket Number for this proposal is CP13-84-000.

The applicant's stated purpose is to transport an additional 600,000 dekatherms per day of natural gas to markets along the Texas Eastern system in the Northeast and Gulf Coast areas, as well as, to markets in the Midwest and Southeast through Texas Eastern's pipelines. This additional capacity is necessary to satisfy shipper service agreements.

GENERAL PROJECT INFORMATION: The applicant proposed the construction of seven pipeline loops, totaling 3.6 miles of pipeline in Pennsylvania. Table 1 identifies the loop names, location, and length. As part of construction of the loops, 17.5 miles of access roads and seven wareyard sites are proposed.

Table 1. Proposed Pennsylvania Loops.

LOOPS	COUNTY	APPROXIMATE LENGTH (MILES)	USACE JURISDICTIONAL OFFICE
Holbrook Loop	Fayette	6.7	Pittsburgh
Perulack West Loop	Perry	2.7	Baltimore
Perulack East Loop	Perry	5.4	Baltimore
Shermans Dale Loop	Dauphin	7.1	Baltimore
Grantville West Loop	Lebanon	2.3	Baltimore
Grantville East Loop	Lebanon	3.8	Baltimore
Bernville Loop	Berks	5.6	Philadelphia

Table 2 summarizes the impacts to wetlands and waterbodies associated with the construction and operation of the project, including the pipeline impacts to waters and wetlands, access roads, and wareyards.

Table 2. Summary of Impacts to Wetlands and Waterbodies in Pennsylvania:

FEATURE TYPE	TEMPORARY IMPACTS ASSOCIATED WITH THE CONSTRUCTION RIGHT-OF-WAY (Acres)	OPERATIONAL/PERMANENT RIGHT-OF-WAY IMPACTS
Warm Water Fisheries	**1.9**	**0**
Cold Water Fisheries	**4.1**	**0**
High Quality – Cold Water Fisheries	**0.2**	**0**
Subtotal for Waterways	**6.2 (12,931 linear feet)**	**0**
Palustrine Emergent Wetland	**5.7**	**0**
Palustrine Scrub Shrub Wetlands	**0.1**	**<0.1**
Palustrine Forested Wetlands	**3.7**	**1.5 (further defined in table 3)**
Subtotal for Wetlands	**9.5**	**1.5**
Total	**15.7**	**1.5**

As a result of the need to permanently maintain an area above the proposed pipeline in an herbaceous state, Table 3 identifies the amount of palustrine forested wetlands that will be permanently converted to Palustrine Emergent Wetlands.

Table 3. Permanent Conversion of Palustrine Forested Wetlands to Palustrine Emergent Wetland due to long term operational requirements:

LOOP	COUNTY	AREA
Shermans Dale Loop	Dauphin County	6,618 square feet (0.15 acre)
Grantville West Loop	Lebanon County	36,567 square feet (0.84 acre)
Grantville East Loop	Lebanon County	24,820 square feet (0.57 acre)
Total		68,005 square feet (1.56 acres)

Avoidance, Minimization, Mitigation and Compensation for the Texas Eastern TEAM 2014 Project Statement Below Provided by Texas Eastern

Trasmission, LP for Work in Pennsylvania

Texas Eastern Transmission, LP (Texas Eastern) proposes to construct the Texas Eastern Appalachia to Market 2014 Project (TEAM 2014 Project), which entails the construction of approximately 33.6 miles of 36 inch-diameter pipeline composed of seven separate pipeline loops and associated pipeline facilities in Pennsylvania, and horsepower upgrades at four existing compressor stations in Pennsylvania. Texas Eastern designed the Project to avoid or minimize wetland impacts to the maximum extent practicable. Temporary impacts to wetlands resulting from the TEAM 2014 Project will be mitigated through restoration of temporary workspace to pre-construction conditions. Permanent wetland impacts (in the form of permanent modification of wetland vegetation type) will be mitigated through wetland enhancement and preservation at an off-site location. There is no permanent fill of wetlands associated with the TEAM 2014 Project.

Avoidance and Minimization

The TEAM 2014 Project pipeline loops will be constructed within or adjacent to an existing Texas Eastern pipeline right-of-way (ROW). By constructing the Project in this manner, Texas Eastern avoids or minimizes potential impacts to wetlands and other environmental resources to the extent practicable.

Avoidance

Texas Eastern analyzed the TEAM 2014 Project with respect to both need and siting requirements. Texas Eastern evaluated the siting options using a variety of criteria, including environmental and stakeholder impacts, economic benefits and costs, operating parameters, and engineering and technological parameters. By constructing the TEAM 2014 Project using multiple new pipeline loops, instead of a single pipeline, Texas Eastern can effectively increase the incremental pipeline capacity while limiting impacts to

environmental resources. Fifty percent of the new ROW required for the Project overlaps an existing Texas Eastern pipeline ROW, thereby significantly reducing the amount of greenfield environmental impacts.

To evaluate and determine the pipeline alignments and workspace, Texas Eastern used United States Geological Survey topographic maps, National Wetlands Inventory maps, soil surveys, hydric soils information, and aerial photographs. Field surveys were conducted to establish workspace that avoids sensitive resources, such as wetlands, to the maximum extent practicable.

Minimization
In locations where complete wetland avoidance was not possible, Texas Eastern took steps to minimize wetland impacts. The construction workspace will narrow in width from 100 feet to 75 feet within wetlands except where safe working conditions necessitate additional workspace. Construction and restoration activities in wetland areas will be conducted in accordance with Texas Eastern's Erosion and Sediment Control Plan (E&SCP) and federal, state, and county approvals. As outlined in the E&SCP, timber mats will be used to support construction equipment and top soil will be segregated to maintain the wetland seed bank and aid in restoration. Areas impacted by construction will be restored and allowed to revert to pre-construction conditions. Restoration of the ROW will begin immediately after pipeline construction activities have been completed, and will include the re-establishment of the original grades and drainage patterns as well as the installation of permanent erosion and sedimentation control devices to minimize post-construction erosion. Operational impacts will be associated only with the new permanent ROW, which will require vegetation maintenance in wetland areas. This periodic clearing of the vegetation is limited to maintenance of a 10-foot-wide herbaceous corridor centered on the new pipeline and the removal of trees over 15 feet tall within a 30-foot-wide corridor centered on the new pipeline. This maintenance activity is required to keep root systems of large woody vegetation from interfering with the pipeline, but will not cause the net loss of any wetland area.

MITIGATION AND COMPENSATION: Wetlands temporarily impacted will be restored and allowed to revert to their pre-construction conditions. Permanent wetland impacts resulting from the TEAM 2014 Project will include the conversion of palustrine forested (PFO) wetlands to palustrine scrub-shrub (PSS) and palustrine emergent (PEM) wetlands. These permanent conversion impacts will be mitigated through the enhancement and preservation of an off-site wetland location. Texas Eastern currently is analyzing a potential off-site mitigation site within the vicinity of the Project. In Pennsylvania, construction of the pipeline loops will result in the permanent conversion of approximately 1.5 acres of PFO wetlands. The Project will not result in the permanent filling of any wetlands. No net loss of wetlands or other waters will be associated with the Project.

Plans showing the location of all of the proposed loops are attached. If you have any general questions, questions pertaining to impacts and/or need to see more detailed plans within Pennsylvania, please contact Mr. Michael Dombroskie at (814) 235-0571, or by e-mail at: mike.dombroskie@usace.army.mil.

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonable may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economic, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, and consideration of property ownership and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments provided will become part of the public record for this action. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, State College, Pennsylvania Field Office, 1631 South Atherton Street, State College, Pennsylvania 16801, Attention: Mr. Michael Dombroskie Field Office within the comment period specified above.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 04-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely effect Essential Fish Habitat (EFH). The Corps has determined this project will not affect any EFH.

WATER QUALITY CERTIFICATION: The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the **Pennsylvania Department of Environmental Protection**. The Section 401 certifying agency has a statutory limit of one year from the date of this public notice to make its decision.

COASTAL ZONE MANAGEMENT PROGRAMS: This project does not require an approval from an approved Coastal Zone Management (CZM) Program. The applicant must obtain any State or local government permits which may be required.

Pursuant to Section 7 of the Endangered Species Act (16 U.S.C.1531), the applicant received a letter from the U.S. Fish and Wildlife Service (USFWS) indicating that the Shermans Dale Loop is within the range of the Indiana Bat (Myotis sodalist). This species is a federally listed species. Per recommendation from USFWS, tree cutting of trees that are greater than or equal to five inches in diameter at breast height would be conducted during the Indiana Bats hibernation period between November 16 and March 31st. In addition, the Grantville West and East Loops and the Bernville Loop are found within the range of the Bog Turtle (*Clemmys muhlenbergii),* and coordination with USFWS is ongoing regarding the potential impacts to this species.

Currently, the Pennsylvania Historical and Museum Commission is reviewing the proposal to determine if the proposed project will impact sites that are eligible for listing or are included in the National Register of Historic Places. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the request permit.

The evaluation of the impact of this project on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act.

Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, State College, Pennsylvania Field Office, 1631 South Atherton Street, State College, Pennsylvania 16801, Attention: Mr. Michael Dombroskie Field Office, within the comment period as specified above to receive consideration. Also it must clearly set forth the interest which may be adversely affected by this activity and the manner in which the interest may be adversely affected.

It is requested that you communicate this information concerning the proposed work to any persons know by you to be interested and not being known to this office, who did not receive a copy of this notice.

Wade B. Chandler
Chief, Pennsylvania Section
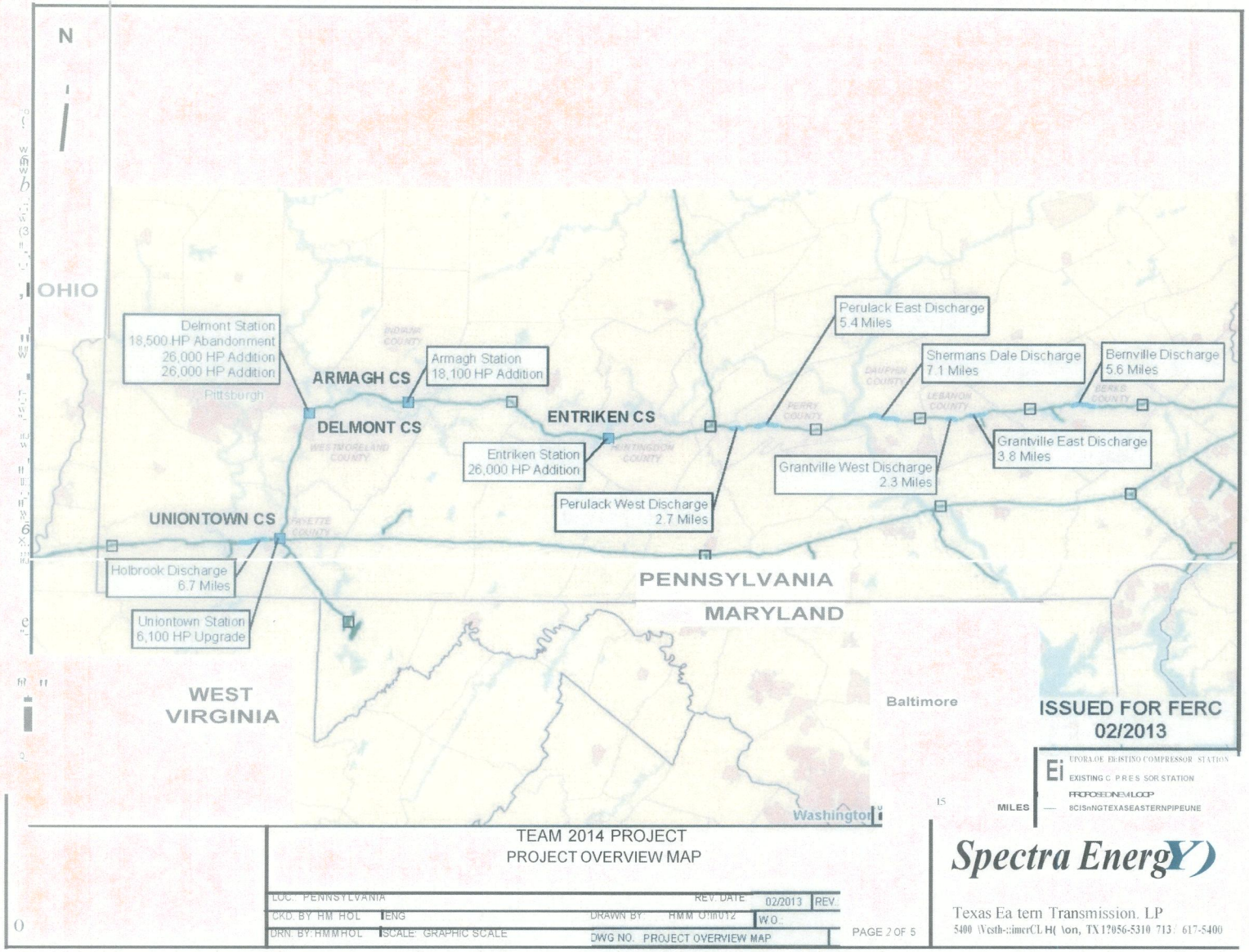
FIGURE 2
PROJECT OVERVIEW OF ACTIVITIES IN PENNSYLVANIA