

From: [Jon Kasitz](#)
To: [Harrison, Melissa](#); [Dunlap, Rebecca](#); [Rossi, Nicholas](#)
Cc: [Brett, William B](#); [Banach, Eileen](#); [Caitlan Parker](#); [White, Kevin](#); ["Binckley, Sarah"](#); ["Haight, Shannon"](#)
Subject: E6583220-026_Mitigation Credit Commitment-Follow up_RE: [External] RES Bank Credit Secondary Service Area Request_Enbridge"s Texas Eastern Pipeline Projects in Greene County
Date: Friday, January 22, 2021 7:54:49 AM
Attachments: [RES Credit Commitment Letter Conemaugh 1-11-21.pdf](#)

Good morning all,

I kept the email train below for continuity, but wanted to formally provide the attached Credit Commitment Letter for the necessary wetland mitigation associated with the Conemaugh Project in Westmoreland County.

This should be the last item required for the mitigation-aspect of the JPA review, and then upon permit approval we'll submit electronically the Credit Transfer Letter, draw down the credits on RIBITs (USACE and USEPA's online bank tracking database), and then be done!

We typically don't provide hard copies of these Letters, but if anyone needs/wants a hard copy for a paper file, please let me know and we'll mail it out ASAP.

Please don't hesitate to reach out with any questions, and otherwise have a wonderful Friday and weekend!

Jon

Jon Kasitz

Client Solutions Manager

RES | res.us

Direct: 412.249.2439 | Mobile: 717.371.6797

From: Harrison, Melissa <melharriso@pa.gov>
Sent: Monday, September 14, 2020 3:33 PM
To: Jon Kasitz <jon@res.us>; Dunlap, Rebecca <redunlap@pa.gov>
Cc: Brett, William B <William.Brett@enbridge.com>; Banach, Eileen <eileen.banach@aecom.com>; Thompson, Kelly <kelly.thompson@aecom.com>; Caitlan Parker <cparker@res.us>; White, Kevin <kevwhite@pa.gov>
Subject: [EXTERNAL] RE: [External] RES Bank Credit Secondary Service Area Request_Enbridge's Texas Eastern Pipeline Projects in Greene County

Good Afternoon Jon,

I apologize for the delay in responding to your email, I was on vacation last week.

Due to the lack of available options in the primary service area of the projects, the Department is amenable to use of the Laurel Hill Creek Mitigation Bank credits for the compensatory mitigation of the Conemaugh River Crossing and Appalachia to Market projects.

Also, thank you for the additional reference information, we greatly appreciate it.

Please do not hesitate to contact us if you have any further questions.

Thank You,

Melissa M. Harrison, PWS | Aquatic Biologist 2
Department of Environmental Protection | Regional Permit Coordination Office
Rachel Carson State Office Building
400 Market Street | Harrisburg, PA 17101
Phone: 717.772.0432
melharriso@pa.gov
www.dep.pa.gov

From: Jon Kasitz <jon@res.us>
Sent: Tuesday, September 8, 2020 7:43 AM
To: Harrison, Melissa <melharriso@pa.gov>; Dunlap, Rebecca <redunlap@pa.gov>
Cc: Brett, William B <William.Brett@enbridge.com>; Banach, Eileen <eileen.banach@aecom.com>;
Thompson, Kelly <kelly.thompson@aecom.com>; Caitlan Parker <cparker@res.us>
Subject: [External] RES Bank Credit Secondary Service Area Request_Enbridge's Texas Eastern Pipeline Projects in Greene County

ATTENTION: *This email message is from an external sender. Do not open links or attachments from unknown sources. To report suspicious email, forward the message as an attachment to CWOPA_SPAM@pa.gov.*

Good morning Melissa and Rebecca,
Following up on the phone call on Thursday afternoon with the Enbridge (Bill) and AECOM (Kelly and Eileen) to discuss options to address wetland mitigation associated with the Conemaugh and Appalachia to Market Projects in Westmoreland County.

Joint Permit (JPA) packages for unavoidable wetland impacts associated with both projects have been submitted to the PADEP (Conemaugh = E6583220-026 and Appalachia to Market = E6583220-028), and it is anticipated that PADEP will authorize the permits under PASPGP-5.

The Projects are both located in the southcentral portion of the Lower Allegheny River Subbasin (#18). Due to there not being any private commercial banks or available ILF programs in the primary watershed (Subbasin #18), we are proposing that wetland credits (0.23 for Conemaugh and 0.20 for Appalachia to Market) be utilized from the Laurel Hill Creek Mitigation Bank (LHCMB), located within the adjacent Monongahela River Subbasin (#19) in the PA State Waterplan.

Use of the LHCMB's secondary service territory (or an adjacent subbasin, as identified in RES/FPR's UMBI) is requested. I attached a quick map showing the project location relative to the different PA State Waterplan subbasins. As discussed on the phone call, per the IRT (Inter-agency Review Team), the "approval" of using bank credits in secondary service areas is up to the PADEP and USACE permit writers. Furthermore, in a situation like these Projects, since there may not be a USACE reviewer (under PASPGP-5 reporting thresholds), its solely PADEP's decision if we're OK using the bank credits

as compensatory mitigation.

If you're amenable to using the secondary service area credits for this project, if you can just respond to that effect to this email, we'll keep that on file and then we can send the Credit Commitment Letters (separate for each project) to Enbridge/AECOM to wrap up the mitigation component of these project. After permit authorizations we then send y'all the Credit Transfer Letters, draw the credits down on RIBITs (the USACE's online bank tracking platform), and we're done!

Lastly, since the banking stuff may be somewhat new to you, below is a video link to a drone video of the LHCMB under construction, and an older bank in SW PA so you can see what these banks look like after a few years. These projects are built with a floodplain restoration approach, where the stream and wetland restoration is integrated, generating both wetland and stream credit. If you'd ever like to see a site of this kind in the field, I'd be happy to schedule a visit. Some of the 105 reviewers in the Wetlands/Waters program have been out to them (though the whole COVID thing here is making field visits more tricky).

- Robinson Fork Phase 1 project in southwest PA: <https://vimeo.com/452200806/3043c60262>
 - This project included over 20 miles of stream restoration, the largest of its kind ever completed in PA. Most of the reaches in the video are around 3-4 years post construction.
- LHCMB construction video: <https://vimeo.com/438903909/a8df9a268f>
 - This is from a few weeks ago actually, and is particularly interesting in that it shows the active construction process, and the scope/magnitude of the construction efforts.

Please let know if you need any other information to process this request.

Thanks for your help!

Jon

Jon Kasitz

Client Solutions Manager

RES | res.us

Direct: 412.249.2439 | Mobile: 717.371.6797



MITIGATION CREDIT COMMITMENT LETTER

PENNSYLVANIA STATEWIDE UMBRELLA MITIGATION BANKING INSTRUMENT

Laurel Hill Creek Mitigation Bank

**TO: PENNSYLVANIA INTERAGENCY REVIEW TEAM
PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION
U.S. ARMY CORPS OF ENGINEERS**

Credit Provider: First Pennsylvania Resource, L.L.C. (FPR or Sponsor)

State and Federal Umbrella Operation Permits:

Pennsylvania Statewide Umbrella Mitigation Banking Instrument (PSUMBI)

- WO&E Compensation Operations Permit Number: MB9915-0001
- USACE Permit Number: NAB-OP-RPA-2012-00567-PO2

Bank Providing Credits

Laurel Hill Creek Mitigation Bank (LHCMB)

- PA DEP Permit Number: MB990556-0001
- USACE Permit Number: LRP-2018-847

FPR is in compliance with all requirements of their WO&E Compensation Operations Permit (PA DEP Permit Number: MB9915-0001), and hereby accepts responsibility for the mitigation obligations of Enbridge: Texas Eastern Pipeline for unavoidable wetland impacts associated with the Conemaugh Project (Project), as specified below:

1. The Project requires 0.23 wetland credits as mitigation.
2. Enbridge: Texas Eastern Pipeline has committed monies with the Sponsor sufficient to acquire 0.23 wetland credits from the LHCMB for use on the Project (PA DEP Permit Number: E6583220-026 and USACE Permit Number: PASPG-5).
3. LHCMB is located within the Monongahela River Subbasin (PA State Water Plan Subbasin 19). The Project is located within the Lower Allegheny River Subbasin (PA State Water Plan Subbasin 18), a secondary service area of the Bank; on August 14, 2020 the PADEP approved the use of credits from the LHCMB for this Project.
4. The Sponsor has committed 0.23 wetland credits from the LHCMB credit ledger. This credit commitment does not have an expiration timeframe.

Attached is an updated credit ledger showing the credits as committed. Contact information for



the bank sponsor is presented below. A Credit Transfer Letter will be provided to the agencies upon permit authorization.

First Pennsylvania Resource, L.L.C.

A handwritten signature in black ink, appearing to read "Shawyn Yeamans", is written over a horizontal line.

By: _____
Shawyn Yeamans
Resource Environmental Solutions, L.L.C.
33 Terminal Way W445A
Pittsburgh, PA 15219

Date: 01/11/2021

Copies:

Melissa Harrison, PA Department of Environmental Protection, Regional Permit Coordination Office

Matt Gilbert, U.S. Army Corps of Engineers, Pittsburgh District

William Brent, Enbridge: Texas Eastern Pipeline

Sarah Binckley and Shannon Haight, AECOM

Jon Kasitz, RES Client Solutions Manager

Attachments _____

Attachment 1: LHCMB Credit Ledger

Attachment 1: LHCMB Credit Ledger

Laurel Hill Credit Ledger

Date Updated: 1/11/2021

Credit Summary	Wetland	Stream
Credits Released	3.27	3,352.7
Credits Withdrawn	0.53	3,352.7
Credits Remaining	2.74	-
Credits Committed	10.29	8,259.0
Credits Available Considering Committed	(7.55)	(8,259.0)

Sponsor: First Pennsylvania Resource, L.L.C.
 Address: 33 Terminal Way, Suite 445A
 Pittsburgh, PA 15219

USACE Permit Number: LRP-2018-847
 PADEP Permit Number: MB990556-0001
 DEP Bank Approval: 5/8/2020
 IRT Bank Approval: 12/20/2019

WETLAND CREDITS

Transaction Type	Date Wdr/Rel	Credits	Permittee	Release Description/Project Name	PADEP Permit No.	USACE Permit No.	Impact Subbasin
Released	8/3/2020	3.27		Release 1			
Withdrawn	10/7/2020	(0.29)	Derry Township Municipal Authority	Keystone Area Sanitary Sewers & Loyalhanna Trail	E65-995-A1	LRP-2018-1325	Subbasin 18
Withdrawn	10/22/2020	(0.24)	Century Development Ebensburg, LLC	Ebensburg Commons Project	E11-360	LRP-1997-200	Subbasin 18
Committed		(0.50)	Columbia Gas Transmission, LLC	Line 1570 Phase 0 Slip Repairs	TBD	TBD	Subbasin 19
Committed		(0.48)	Twin Lakes Holdings	Twin Hall	TBD	PASPGP-5	Subbasin 18
Committed		(0.23)	Enbridge: Texas Eastern Pipeline	Conemaugh	E6583220-026	PASPG-5	Subbasin 18
Planned Release	Q1 2021	3.27		Release 2			
Committed		(2.20)	Pennsylvania Turnpike Commission	Mon/Fayette Expressway: Section 53A-1 Project	TBD	TBD	Subbasin 19
Committed		(1.03)	Pennsylvania Turnpike Commission	Mon/Fayette Expressway: Section 53B-2 Project	TBD	TBD	Subbasin 19
Planned Release	Q4 2021	7.62		Release 3			
Committed		(3.62)	Pennsylvania Turnpike Commission	Mon/Fayette Expressway: Section 53B-1A Project	TBD	TBD	Subbasin 19
Committed		(0.45)	Pennsylvania Turnpike Commission	Mon/Fayette Expressway: Section 53A-2 Project	TBD	TBD	Subbasin 19
Committed		(1.78)	Pennsylvania Turnpike Commission	Mon/Fayette Expressway: Section 53C-1 Project	TBD	TBD	Subbasin 19
Planned Release	Q2 2022	5.44		Release 4			
Planned Release	Q1 2023	2.17		Release 5			

STREAM CREDITS

Transaction Type	Date Wdr/Rel	Credits	Permittee	Release Description/Project Name	PADEP Permit No.	USACE Permit No.	Impact Subbasin
Released	8/3/2020	3,352.70		Release 1			
Withdrawn	9/28/2020	(3,352.7)	Pennsylvania Turnpike Commission	Milepost 102-109 Total Reconstruction Project	E56-386	LRP-2017-1942	Subbasin 19
Planned Release	Q1 2021	3,352.71		Release 2			
Committed		(159.0)	Pennsylvania Turnpike Commission	Mon/Fayette Expressway: Section 53C-2 Project	TBD	TBD	Subbasin 19
Committed		(410.0)	Pennsylvania Turnpike Commission	Mon/Fayette Expressway: Section 53C-3 Project	TBD	TBD	Subbasin 19
Planned Release	Q4 2021	7,823.00		Release 3			
Committed		(5,055.00)	Pennsylvania Turnpike Commission	Mon/Fayette Expressway: Section 53A-1 Project	TBD	TBD	Subbasin 19
Committed		(71.00)	Pennsylvania Turnpike Commission	Mon/Fayette Expressway: Section 53B-2 Project	TBD	TBD	Subbasin 19
Committed		(1,334.00)	Pennsylvania Turnpike Commission	Mon/Fayette Expressway: Section 53B-1A Project	TBD	TBD	Subbasin 19
Committed		(755.00)	Pennsylvania Turnpike Commission	Mon/Fayette Expressway: Section 53A-2 Project	TBD	TBD	Subbasin 19
Committed		(475.00)	Pennsylvania Turnpike Commission	Mon/Fayette Expressway: Section 53C-1 Project	TBD	TBD	Subbasin 19
Planned Release	Q2 2022	5,587.86		Release 4			
Planned Release	Q1 2023	2,235.14		Release 5			