



August 27, 2020

National Fuel Gas Supply Corporation
c/o Wayne Graham
1100 State Street
Erie, PA 16512

Re: PAFBC Comments
Water Obstruction & Encroachment Permit
FM-100 Project

DEP Application No. E1283219-001 (Cameron County)
APS ID No. 1007394; AUTH ID No. 1298296

DEP Application No. E1783219-001 (Clearfield County)
APS ID No. 1007462; AUTH ID No. 1298427

DEP Application No. E2483219-001 (Elk County)
APS ID No. 1007488; AUTH ID No. 1298479

DEP Application No. E428329-001 (McKean County)
APS ID No. 1007797; AUTH ID No. 1299051

DEP Application No. E5383219-001 (Potter County)
APS ID No. 1997801; AUTH ID No. 1299057

Dear Mr. Graham:

On July 10, 2020, the Department of Environmental Protection (DEP) issued a technical deficiency notification letter for this project. The letter stated the Pennsylvania Fish and Boat Commission (PAFBC) technical review was ongoing and their comments would be forwarded upon receipt for your response.

On August 8, 2020, DEP received the attached comments from the PAFBC. Please review the comments and submit a response addressing each comment. The PAFBC comments included information regarding seasonal restrictions for instream construction activities. If a decision is reached to issue permits, these seasonal restrictions will be incorporated into the conditions of the final permit.

DEP requests that your response addressing the PAFBC comments be submitted concurrently with your response to the July 10, 2020 technical deficiency notification. The response to the technical deficiency notification is due on or before September 8, 2020. If you need additional time, you may request a time extension, in writing, before September 8, 2020 to respond to the technical deficiency notification and the PAFBC comments.

Should you have any questions, please contact Dave Bolig at 484.250.5828 or at dbolig@pa.gov and refer to the Application Number referenced above to discuss your concerns or to schedule a meeting. The meeting must be scheduled within the time period allotted for your reply, unless otherwise extended by DEP. You may also follow your application through the review process via eFACTS on the Web at: <http://www.ahs2.dep.state.pa.us/eFactsWeb/default.aspx>.

Sincerely,



Kevin S. White, P.E.
Environmental Group Manager
Regional Permit Coordination Office

Enclosure: PAFBC Comments

cc: Mott MacDonald, LLC (by email)
U.S. Army Corps of Engineers, Baltimore and Pittsburgh Districts (by email)
PA Fish & Boat Commission, Division of Environmental Services (by email)
Cameron County Conservation District (by email)
Clearfield County Conservation District (by email)
Elk County Conservation District (by email)
McKean County Conservation District (by email)
Potter County Conservation District (by email)
Borough of Driftwood (by email)
Gibson Township (by email)
Lumber Township (by email)
Huston Township (by email)
Lawrence Township (by email)
Benezette Township (by email)
Jay Township (by email)
Keating Township (by email)
Liberty Township (by email)
Norwich Township (by email)
Sergeant Township (by email)
Allegany Township (by email)
Clara Township (by email)
Hebron Township (by email)
Pleasant Valley Township (by email)
Portage Township (by email)
Roulette Township (by email)
Sylvania Township (by email)
Wharton Township (by email)

SUBJECT: National Fuel Gas Supply Corporation
McKean County
Liberty, Township of; Norwich, Township of;
Sergeant, Township of

TO: Pennsylvania Fish and Boat Commission-
(DES)
595 E. Rolling Ridge Drive
Bellefonte, PA 16823

FROM: (check one)

NWRO SWRO NERO **Central**
 NCRO SCRO SERO **Office**

Date Received By PFBC: 5/20/2020
Permit No.: E4283219-001, E1283219-001, E1783219-001, E2483219-001, E5383219-001
Permit Type: Encroachment
Contact Information:
DEP-Reviewing Biologist: Melissa Harrison
PFBC Reviewer: Jordan Allison

Project Description

Type of work: Applicant: Natural Fuel Gas Supply Corporation, 1100 State Street, Erie, PA 16512, FM 100 Project

The applicant is proposing the installation and maintenance of an approximately 29.5-mile-long, 20-inch diameter pipeline (line YM58), a 0.4 mile 12-inch diameter pipeline (extension of existing Line KL), and a 1.4-mile-long 24-inch diameter pipeline loop (YM 224) and appurtenant facilities in various municipalities within Clinton County, McKean County and Potter County for the purpose of transportation of natural gas. The applicant is also proposing to abandon in place approximately 44.9 miles of 12-inch diameter steel natural gas pipeline and appurtenant facilities in various municipalities within Cameron County, Clearfield County, Elk County and Potter County.

The project consists of 5 Chapter 105 Water Obstruction and Encroachment Permits and 1 Chapter 102 Erosion and Sediment Control Permit. Below are the Chapter 105 permit applications being reviewed by the Department.

The proposed project impacts in Elk County include a total of 5 feet of temporary impacts Medix Run (HQ-CWF, MF) and a tributary to Medix Run (HQ-CWF, MF); 0.05 acres of floodway impacts; 0.11 acres of temporary impacts to PEM wetlands.

E4283219-001. The McKean County portion of the project is located in Liberty Township, Norwich Township & Sergeant Township, U.S. Army Corps of Engineers, Pittsburgh District. The proposed project starts along Kin Foks Lane (Latitude: 41o 42' 18.5"; Longitude -78o 29' 37.2") and extending Potter Township line (Latitude: 41o 44' 0.3"; Longitude -78o 12' 8.4").

The proposed project impacts in McKean County include a total of 1,062 feet of impacts to Tributaries to Wernway Hollow (HQ-CWF, MF), Tributary to Browns Mill Hollow Run (HQ-CWF), Robbins Brook and tributaries thereof (HQ-CWF), Donley Fork (HQ-CWF), Potato Creek (TSF), tributaries to Potato Creek (CWF), Coalbed Hollow (HQ-CWF), Bemis Hollow (HQ-CWF) and tributaries thereof, Allegheny Portage Creek (CWF) and tributaries thereof, Allegheny River (CWF) and tributaries thereof, Tributary to Benson Hollow (CWF), Coleman Creek (CWF) and tributaries thereof, Tributary to Jordan Hollow (CWF), Tributaries to Red Mill Brook (CWF), tributaries to Irons Hollow (CWF), Tributaries to Robbins Brook (HQ-CWF), Tributaries to Walcott Brook (CWF), Tributary to Fishing Creek (CWF), Tributaries to Warner Brook (HQ-CWF); 21.113 acres of floodway impacts; 13.783 acres of temporary impacts to PEM, PSS and PFO; and 1.744 acres of permanent impacts to PEM, PSS and PFO wetlands. To compensate for the proposed temporary direct and permanent indirect project impacts to PFO and PSS wetlands in McKean County, the applicant is proposing 4.851 acres of wetland mitigation at an off-site location.

NOTE: Please review the attached application for a Water Obstruction and Encroachment Permit for the project described above, and return comments to this office within 30 days.

Project Location/PFBC Stream Management:

Latitude	Longitude	Primary Water	Receiving Water	Stocked	Wild
41.711481	-78.479998	UNT to Wernwag Hollow Run (RM 0.78)	Wernwag Hollow Run	No	Yes
41.713281	-78.476988	Wernwag Hollow Run	Red Mill Brook	No	Yes
41.730381	-78.447196	Robbins Brook	Potato Creek	No	Yes
41.733071	-78.443694	Donley Fork	Robbins Brook	No	Yes
41.752935	-78.397493	UNT to Potato Creek (RM 17.64)	Potato Creek	Yes	No
41.754403	-78.393992	Potato Creek	Allegheny River	Yes	No
41.754461	-78.389726	UNT to Potato Creek (RM 18.11)	Potato Creek	Yes	No
41.756973	-78.374859	UNT to White Hollow Run (RM 0.74)	White Hollow Run	No	Yes
41.756996	-78.372491	White Hollow Run	Walcott Brook	No	Yes
41.763556	-78.329418	Coalbed Hollow	Skinner Creek	No	Yes
41.767128	-78.314512	Bemis Hollow	Skinner Creek	No	Yes
41.767123	-78.314262	UNT to Bemis Hollow (RM 1.40)	Bemis Hollow	No	Yes
41.788297	-78.270522	Allegheny Portage Creek	Allegheny River	No	Yes
41.795929	-78.260345	Allegheny River	Ohio River	Yes	No
41.796013	-78.256469	UNT to Benson Hollow (RM 0.18)	Benson Hollow	No	Yes
41.811249	-78.205113	Jordan Hollow Run	Sartwell Creek	No	Yes
41.818047	-78.194785	Ernst Hollow Run	Sartwell Creek	No	Yes
41.821680	-78.191606	Sartwell Creek	Allegheny River	No	Yes
41.823890	-78.184170	UNT to Sartwell Creek (RM 3.04)	Sartwell Creek	No	Yes
41.837053	-78.149198	Baker Hollow	Fishing Creek	No	Yes
41.835904	-78.128226	Fishing Creek	Allegheny River	Yes	Yes
41.845284	-78.064730	UNT to East Branch Fishing Creek (RM 5.74)	East Branch Fishing Creek	Yes	Yes
41.844706	-78.052771	Whitney Creek	South Branch Oswayo Creek	No	Yes

Specific Project
Comments:

The Pennsylvania Fish and Boat Commission manages Red Mill Brook, Robins Brook, Walcott Brook, Skinner Creek, Allegheny Portage Creek, Benson Hollow Run, Coleman Hollow Run, Sartwell Creek, Fishing Creek, and Whitney Creek as well as their tributaries as waterways supporting the natural reproduction of trout. The PFBC respectfully requests that a special condition be added to the permit which prohibits instream construction from October 1 through December 31 to protect the spawning and egg deposition behavior of these wild trout populations. The PFBC recommends the applicant and contractor understand the implications of this restriction and plan all instream construction accordingly.

The Pennsylvania Fish and Boat Commission manages Potato Creek, Skinner Creek, the Allegheny River, Fishing Creek and the East Branch of Fishing Creek as well as the first 0.5 miles of any tributary entering the stocked sections of these waterways as stocked trout streams. We respectfully request that a special condition be added to the permit prohibiting instream construction from March 1 through June 15 to avoid interference with recreational angling activities. The PFBC recommends that the applicant and contractor understand the implications of this restriction and plan any and all instream construction work accordingly.

Potato Creek, Allegheny Portage Creek and the Allegheny River are of a sufficient size to support recreational boating (Canoers & Kayakers) activities throughout much of the year. The applicant proposes to complete crossing of these waterways via a horizontal directional drill which will not impact these activities. However, if an inadvertent return occurs requiring instream remediation that impacts a boater's ability to safely navigate through the worksite, the applicant must submit for PFBC review and approval an Aids to Navigation plan. Information pertaining to the preparation and review of this plan can be obtained by contacting the Pennsylvania Fish and Boat Commission's ATON Coordinator.

Captain Clyde Warner
PFBC Bureau of Law Enforcement
PO Box 67000
Harrisburg, PA 17106
717-705- 7838
Clwarner@pa.gov

According to the applicant, impacts to aquatic resources including wetlands, streams and floodplains are unavoidable due to the linear nature of the project. As a result, riverine habitat is proposed to be impacted via open trench crossings for the new gas utility lines and temporary stream crossing to allow equipment access to the proposed pipeline alignment. This will require the temporary removal of all vegetation within the project's limit of disturbance and the permanent maintenance of some including areas within riparian buffer zones along perennial, intermittent and ephemeral streams.

During the construction and restoration of these crossings, the aquatic communities inhabiting the waterways may be subject to increased sediment loads which have been shown to impact habitat quality, including the prevalence of gravel substrates important for maintaining aquatic macroinvertebrate communities and serving as critical spawning habitat for salmonids. To minimize the potential for the impacts discussed above and to promote stream bank stability which reduces the risk of pipeline exposure, the PFBC recommends the following:

- 1.) The PFBC recommends the department require the applicant to develop a restoration planting plan for inclusion in their previously submitted *Site Restoration Plan*. The plan should include tree/shrub plantings along the full width of the limit of disturbance within Riparian Buffer Zone 1 of perennial streams having an existing or designated use of High Quality or Exceptional Value in accordance

with DEP policy 394-5600-001, *Riparian Forest Buffer Guidance*. Details outlining planting procedures, stem densities and lists of acceptable species to be used for restoration purposes should be included as well as an annual maintenance plan for the restoration sites.

- 2.) The PFBC understands that deeply rooted trees planted directly over natural gas pipelines may compromise its integrity due to root intrusion. However, given the pipelines typical bedding depth at stream crossings, it is our opinion that planting shrubs and shallow rooted trees directly over the alignment possess minimal risk. Therefore, we recommend shallow rooted trees and/or shrubs be planted within 7 feet of the pipeline centerline to improve stream shading, bank stabilization, nutrient cycling, to promote natural processes necessary to maintain aquatic communities at these crossings.
- 3.) The PFBC recommends that potted tree and shrub stock of native species occurring on site be used in Zone 1 to restore the area. Potted stock generally has a larger DBH than bare root stock and will promote restoration of these sensitive areas in an expedited time frame.
- 4.) The PFBC recommends that annual maintenance occur at these restoration sites for the first five years to ensure they are achieving their intended purpose. Maintenance should include replacement of dead stock, mechanical or chemical control of noxious weeds and removal of invasive species.

Even though impacts to wetlands and streams are proposed in excess of the de minimis limits, no mitigation plan was provided to offset the loss of these aquatic resources or the ecological functions they provide. Please have the applicant submit for review and approval a mitigation plan if and when one becomes available.

As part of the abandonment process the applicant proposes to grout the existing pipeline at many of the stream crossings to prevent it from transporting water from uphill sources. When released to surface waters, grout has been shown to increase the pH of the receiving waterbody. Given the High Quality or Exceptional Value status of the majority of these streams and the fact that many of them support populations of naturally reproducing trout, the Commission request that an environmental inspector be on site during all grouting operations and for a period of 24 hours afterwards to monitor operations, advise contractors concerning appropriate clean up measures and document the resulting increase in surface water pH and impacts to the aquatic community in the event of a leak.

Please have the applicant update Table 1.12-1 of the Horizontal Direction Drill Plan with the following contact information:

Jordan Allison
PFBC Bureau of Fisheries
595 East Rolling Ridge Drive
Bellefonte, PA 16823
814-359-5236
Jorallison@pa.gov



(PFBC Division of Environmental Services)

Approved	<input type="checkbox"/>	Not Approved	<input type="checkbox"/>
See Comments	<input checked="" type="checkbox"/>	Withdrawn	<input type="checkbox"/>

8/8/2020

(Date)

(Approved)

Pennsylvania Fish & Boat Commission