

This document outlines National Fuel Gas Supply Corporation's response to the Pennsylvania Department of Environmental Protection Technical Deficiency Review letter issued for the FM100 Project on December 4, 2020. Responses to the PAFBC are included at the end of this document. Each comment has been reproduced and a corresponding answer provided. Where applicable National Fuel has updated plans and/or drawings and have noted the updates to those documents herein. Revised versions of these documents are being provided in digital format as part of this response. To the extent possible National Fuel has minimized the number and size of this response by only providing the applicable items that changed due to the comments below; items not provided with this response were not changed from the previous submission.

Re: Technical Deficiency Notification #2

Water Obstruction & Encroachment Permits:

DEP Application No. E1283219-001 (Cameron County) APS ID No. 1007394; AUTH ID No. 1298296, Reference ID #4486

DEP Application No. E1783219-001 (Clearfield County) APS ID No. 1007462; AUTH ID No. 1298427, Reference ID #4450

DEP Application No. E2483219-001 (Elk County) APS ID No. 1007488; AUTH ID No. 1298479, Reference ID #4506

DEP Application No. E4283219-001 (McKean County) APS ID No. 1007797; AUTH ID No. 1299051, Reference ID #4493

DEP Application No. E5383219-001 (Potter County) APS ID No. 1007801; AUTH ID No. 1299057, Reference ID #4502

All Counties

Q1.AC Regarding the proposed wetland mitigation acreage discussed in the Mitigation Plan (Appendix Q and Section 4 of JPA Narrative), due to the wetland classifications that remain incorrect, the appropriate mitigation ratios have not been applied and thus, the proposed mitigation acreage is not correct. Specifically, Wetlands 007b, 009b, 031, 034, 035-1, and 091 should be classified as Exceptional Value (not Other) based on their contiguous connection with other EV wetlands and/or their hydrologic connection to a stream supporting the natural reproduction of trout. Please revise the mitigation plan and associated application documents to reflect the correct wetland classifications and wetland mitigation acreage. [25. Pa. Code §§§105.17(1), 105.20a and 105.21(a)(1)].

Response: The wetland mitigation acreage has been recalculated based on updates presented in the project ARIT table. As a result, total acreage of wetlands impacts has not changed rather the EV classification of the impacted wetlands

has changed. As such, the total wetland mitigation acreage required has increased from 5.55 acres to 5.95 acres and is accounted for in the revised Mitigation Plan provided as file 05-17-01_Permittee Responsible Mitigation Plan_20201216_Rev2 which is an attachment to Appendix Q of the Environmental Assessment Narrative.

Q2.AC The Pennsylvania Natural Diversity Inventory (PNDI) receipts for search ID's 716781, 716782, and 716784 were submitted in DRAFT format. Please submit the final PNDI receipts. Please also verify that a habitat assessment for the Timber Rattlesnake was conducted in these areas. [25. Pa. Code §105.15(c)].

Response: Final PNDI receipts for PNDI IDs 716781, 716782, and 716784 are provided in file 05-04-00 Appendix D – PNDI-USFWS Consultations Compiled_Rev2_PRIV. The areas identified in these PNDI receipts have not had rattlesnake surveys; however, National Fuel is assuming presence and is committing to have an approved rattlesnake monitor on site in these areas during construction activities and will abide by applicable conservation measures of the Pennsylvania Fish and Boat Commission (PAFBC) identified in the final PNDI receipt.

Q3.AC The U.S. Fish and Wildlife Service (USFWS) response letter dated November 6, 2019 states that "If the Action (FM100 Project) is not completed within one year of the date of this letter, you must update and resubmit the information required in the IPaC key." Please submit updated correspondence from USFWS verifying that the project remains in compliance with the 4(d) rule [25. Pa. Code §105.15(c)].

Response: On 12/10/2020 the USFWS issued a NLEB 4d renewal verification email for the project which is provided in file 05-04-00 Appendix D – PNDI-USFWS Consultations Compiled_Rev2_PRIV.

Q4.AC Appendix G (Table 2.3-1: Waterbodies Crossed by the Project) does not appear to have been updated with the streams along the abandonment line, nor the newly delineated streams from recent surveys. In addition, stream names and/or classifications still contain errors (Streams 037, 068, 070, 112-114, 196) and waterbody names and classifications are not shown for the ditches that receive perennial or intermittent flow. Please ensure that this table is consistent with the ARIT tables for the respective counties and that all stream names and classifications are correct. [25. Pa. Code §§105.15(c) and 105.21(a)(1)].

Response: Table 2.3-1 has been updated accordingly and is provided as file 05-07-00_Appx G_Table 2.3-1_20201214_Rev3 which is Appendix G to the

Environmental Assessment Narrative. This table is consistent with the updated ARIT tables provided as part of this submission.

Q5.AC There are several wetland classifications that are incorrect in Appendix H (Table 2.4-1: Wetlands Located within Project Work Areas). Several wetlands should be classified as Exceptional Value (not Other) based on their contiguous connection with other EV wetlands and/or their hydrologic connection to a stream supporting the natural reproduction of trout (some examples are Wetlands 007b, 008, 009, 009b, 012b, 023, 025, 031, 034, 035-1, 035a, 065, 091, 091a, 112, 114, 125, 134, 134a, 136a). Please revise this table and any associated documents to reflect the correct wetland classifications. [25. Pa. Code §§§105.15(c), 105.17(1) and 105.21(a)(1)].

Response: Table 2.4-1 has been updated accordingly and is provided as file 05-08-00_Appx H_Table 2.4-1_20201214_Rev3 which is Appendix H to the Environmental Assessment Narrative.

Q6.AC Regarding the riparian restoration plan provided in Appendix Q, please provide justification for selecting primarily flood intolerant shrubs and small trees for riparian zone plantings. [25. Pa. Code §105.15(c)].

Response: National Fuel understands that riparian areas are highly dynamic systems and accommodate a wide variety of species of various flood tolerance. A healthy riparian area has a broad distribution of species and successional status. It is noted that National Fuel has selected trees and shrubs of various species to promote diversity and ecosystem health. Some of these species are more flood tolerant than others; however, all the species selected were observed in riparian areas across the Project during field surveys and are acceptable per PADEP's, Bureau of Watershed Management Riparian Forest Buffer Guidance document #394-5600-001 (November 27, 2010).

The Tree and Shrub Species for Riparian Replanting table shown on drawing "GENERAL NOTES" in the Riparian Restoration Mapbook has been updated to be consistent with PADEP's, Riparian Forest Buffer Guidance document (2010). Furthermore, National Fuel will follow the guidelines for Riparian Forest Buffer Planting and Establishment (p. 50-59), which covers among other things, planting in wet conditions. National Fuel will work with a qualified contractor who understands the habitat needs of the various species and will locate plants in areas that will minimize mortality.

Q7.AC The response to Q11.AC in the first technical deficiency letter states where there are differences between the E&S plans and the ESCAMP that "agency-

published documents take precedence”. Please clarify what is meant by “agency”. If “agency” is intended to mean DEP, please change the reference accordingly. Also, the final sentence in the response states “In all cases National Fuel will implement the standard that provides the most stringent protection to property and the environment”. This could create confusion if there are instances where “agency published documents” do not call for the most stringent protection. Please verify that there are no potential conflicts and revise the response accordingly. [25. Pa. Code §105.21(a)(1)].

Response: National Fuel must be responsive to all agency requirements and standards; this includes PADEP, FERC, and other federal and state agencies, including county conservation districts. Occasionally conflicts may arise between agency requirements. In such circumstances, National Fuel proposes to consult with the respective agencies to resolve the conflict(s). As an overarching philosophy, National Fuel intends to implement the most stringent environmental requirements in order to protect the environment.

Q8.AC The response to Q27.AC in the first technical deficiency letter states that HDD and IR Contingency Plan, Attachment 2.E-1, has been included in Appendix J of the JPA EA. However, in Attachment 2.E-1, the Allegheny River Crossing Figure 2 and the Portage Creek Crossing Figure 2 are missing some needed features. Please provide a revised version of the figures and include the location of the ground surface, water surfaces, surface features and geologic features etc. [25 Pa. Code §105.21(a)(1)].

Response: The HDD and IR Contingency Plan, Attachment 2.E-1 has been updated to include the requested material. It is provided as file 05-10-00_Appendix J_HDD and IR Contingency Plan_Rev2 which is Appendix J of the Environmental Assessment Narrative.

It is noted that HDD and IR Contingency Plan previously contained two Appendix J attachments as follows:

- 05-10-01_Appendix J_HDD and IR Contingency Plan_FINAL.pdf
- 05-10-02_Appendix J_HDD Feasibility Report_FINAL.pdf

For convenience, National Fuel has combined these files into the single file referenced above.

All features, depths, water surfaces are depicted on the HDD Drawings attached to the Feasibility Report. These drawings also identify all data for geologic conditions at the bore locations from the Geotechnical Report.

Q9.AC Please review the Modernization sheet numbering and revise accordingly. For example, Index sheet 1 shows WSS-MCK-ML-011, but the sheet is labeled WSS-MCK-ML-011A; Index sheet 3 shows WSS-MCK-ML-044, but the sheet is labeled WSS-MCK-ML-044A; Index sheet 1 shows two sheets numbered WSS-MCK-AR-011; sheet WSS-MCK-AR-025.1 does not appear to be shown on an Index sheet; Index sheet 3 shows WSS-MCK-AR-048.1, but the sheet is labeled WSS-MCK-AR-048; Index sheets 7 and 8 show WSS-POT-AR-001.1 through WSS-POT-AR-001.8, but these sheets are all labeled WSS-POT-AR-001. [25 Pa. Code §105.21(a)(1)].

Response: The Site-Specific Index was reviewed against each Wetland and Stream Crossing Plan.

As a result, the following Wetland and Stream Crossing Plan drawing numbers have been revised on the Site-Specific Index:

- WSS-MCK-ML-011 to WSS-MCK-ML-011A
- WSS-MCK-ML-036 to WSS-MCK-ML-036A/B
- WSS-MCK-ML-041 to WSS-MCK-ML-041A/B
- WSS-MCK-ML-044 to WSS-MCK-ML-044A
- WSS-MCK-ML-052 to WSS-MCK-ML-052A/B
- WSS-MCK-AR-001.1 to WSS-MCK-AR-001A
- WSS-MCK-AR-011 to WSS-MCK-AR-012
- WSS-MCK-AR-045 to WSS-MCK-AR-045A/B

A label for Wetland and Stream Crossing Plan WSS-MCK-AR-025.1 was added to the Index. Additionally, the following Wetland and Stream Crossing Plans have been revised to show the correct drawing number in the title block:

- WSS-MCK-AR-048.1, and
- WSS-POT-AR-001.1 through WSS-POT-AR-001.8.

Q10.AC There are work areas that will only be accessed by foot traffic. Please label these areas on the appropriate Chapter 105 drawings. Also, please provide more information regarding the crossing shown on sheet WSS-CAM-AB-002.1. Label the waterbody crossed by the RR Access Road and verify if that crossing will be via foot traffic only [25 Pa. Code §105.21(a)(1)].

Response: National Fuel intends to utilize foot traffic only for the Stream 365 (Driftwood Branch Sinnemahoning Creek) crossing location. For clarity, a label indicating "FOOT TRAFFIC ONLY WITHIN STREAM 365" has been added to the E&S Abandonment Alignment 12 drawing sheet and the Wetland and Stream

Crossing Plan WSS-CAM-AB-002.1 drawing sheet. Additionally, the equipment crossing method listed on drawing WSS-CAM-AB-002.1 has been revised to "FOOT TRAFFIC ONLY."

In addition to the abovementioned location, there are several other work locations that will be accessed by foot traffic only. The following drawings have been revised to show "FOOT TRAFFIC ONLY IN THIS LOCATION" labels in such locations:

- Abandonment E&S Alignment 1
- Abandonment E&S Alignment 3
- Abandonment E&S Alignment 4
- Wetland and Stream Crossing Plan WSS-CLE-AB-003
- Wetland and Stream Crossing Plan WSS-CLE-AB-004
- Wetland and Stream Crossing Plan WSS-ELK-AB-001

McKean County

Q1.MC It appears that the updated Wetland Condition Level 2 Rapid Assessment form for W008 was not submitted. This form indicates that no invasive species were present in the Assessment Area. However, based on the information provided in the Wetland Investigation Report, an invasive species (*Phalaris arundinacea*) was identified at the sampling location for that wetland (WD085JLM). Please review and revise the Rapid Assessment as necessary to reflect the conditions observed within the AA [25 Pa. Code §§105.15(c) and 105.21(a)(1)].

Response: Wetland Condition Level 2 Rapid Assessment form for W008 has been updated and is provided as file 05-10-00_Appendix J_HDD and IR Contingency Plan_Rev2 and is Attachment G to the Wetland Delineation Report.

Q2.MC It appears that the updated Wetland Condition Level 2 Rapid Assessment form for Wetlands W009, 009A, 009B, and Pond 03 was not submitted. The Longitude provided on this form appears to be incorrect. Please review and revise as necessary [25 Pa. Code §§105.15(c) and 105.21(a)(1)].

Response: Wetland Condition Level 2 Rapid Assessment form for Wetlands W009, 009A, 009B, and Pond 03 has been provided within 05-10-00_Appendix J_HDD and IR Contingency Plan_Rev2 and is Attachment G to the Wetland Delineation Report.

Q3.MC It appears that the updated Wetland Condition Level 2 Rapid Assessment form for Wetland W051 was not submitted. The coordinates provided appear to be incorrect, they are the same as W049. Please review and revise as necessary [25 Pa. Code §§105.15(c) and 105.21(a)(1)].

Response: Wetland Condition Level 2 Rapid Assessment form for Wetland W051 has been updated and is provided within 05-10-00_Appendix J_HDD and IR Contingency Plan_Rev2 and is Attachment G to the Wetland Delineation Report.

Q4.MC Some stream names and/or Chapter 93 classifications remain incorrect in the Aquatic Resource Impact Table (ARIT), some examples include Streams 037, 068, 070, 112-114, and 196. Please ensure that all streams in the ARIT have the appropriate name and Chapter 93 classification and revise the ARIT as necessary [25 Pa. Code §105.21(a)(1)].

Response: The ARIT tables has been updated accordingly for each county and are provided as the following files:

- 04-01-00_ARIT_Potter_20201215_Rev2
- 04-02-00_ARIT_Clearfield_20201215_Rev2
- 04-03-00_ARIT_Elk_20201215_Rev2
- 04-04-00_ARIT_Cameron_20201215_Rev2
- 04-05-00_ARIT_McKean_20201215_Rev2

Q5.MC Wetland 126 appears to be missing from Appendix H (Table 2.4-1: Wetlands Located within Project Work Areas). Please revise this table as necessary [25 Pa. Code §105.21(a)(1)].

Response: Table 2.4-1 has been updated accordingly and is provided as file 05-08-00_Appx H_Table 2.4-1_20201214_Rev3 which is Appendix H to the Environmental Assessment Narrative.

Potter County

Q1.PC It appears that the boundary mapping and label for Wetland 200 (represented by RW200TMM) was not included or is not visible on the revised wetland mapping (Attachment B - page 28 of 101). In addition, the wetland report does not list Wetland 200 in Table 5.2-1 (Field Delineated Wetlands within the PSA). Please provide the revised wetland mapping depicting the boundary for Wetland 200 and revise the wetland report and any associated table(s) accordingly [25 Pa. Code §§105.15(c) and 105.21(a)(1)].

Response: A revised set of Wetland Mapping has been updated accordingly and is provided as 05-05-02_Attch B_Rev2 (Fig 1.4-1 Wetland Delineation maps – Mod & Aban) which replaces the previous version of this attachment to the Wetland Delineation Report. Table 5.2-1 and other required tabular updates have also been updated to include this wetland. It is noted that this wetland lies just outside of the project workspaces and is therefore not impacted by the project.

Q2.PC It appears that the Riverine Rapid Assessment form for Stream 092 was not submitted. Please either submit the assessment form or indicate where in Attachment E (specifically) Stream 092 is represented in the forms that were submitted on September 18, 2020 [25 Pa. Code §§105.15(c) and 105.21(a)(1)].

Response: We have provided updated copies of all Riverine Rapid Assessment forms as files:

- 05-05-06a_Attch_E_Riverine_Lvl 2_RA Forms_1 of 2_20201217_Rev2
- 05-05-06b_Attch_E_Riverine_Lvl 2_RA Forms_2 of 2_20201217_Rev2

These files are Attachment E to the Wetland Delineation Report.

Cameron County

Q1.Cam The response to Q3.Cam in the first technical deficiency letter states the National Fuel has moved the cut and cap workspace that was proposed to be located near Wetland 148. However, the response to Q12.Cam states that access to the work area next to Wetland 148 (shown on sheet WSS-CAM-AB-001) will be accessed via Red Run Rd. Sheet WSS-CAM-AB-001 has not been included in the most recent submission. Please clarify. Please indicate if sheet WSS-CAM-AB-001.1 is intended to replace sheet WSS-CAM-AB-001 and label Red Run Rd on the appropriate plan sheet. [25 Pa. Code §105.18a(a)(3)]

Response: As previously stated, National Fuel has moved the cut and cap workspace that was proposed to be located in Wetland 148. The workspace proposed in this location no longer impacts Wetland 148; therefore, Wetland and Stream Crossing Plan WSS-CAM-AB-001 is no longer needed and has been removed from the plan set.

The previous response to Q12.Cam was also correct. The workspace in this location has shifted out of Wetland 148 but will still be accessed directly via

Red Run Road. E&S Abandonment Alignment 10 and SR Abandonment Alignment 10 have been revised to correctly label Red Run Road.

As part of the first technical deficiency submission, a Wetland and Stream Crossing Plan was added to the plan set near MP 22.3. The drawing was assigned a unique drawing number of WSS-CAM-AB-001.1 in order to place the drawing in the correct location within the drawing package. The drawing is unrelated to the previous drawing WSS-CAM-AB-001 and is not meant to replace it. National Fuel did not want to use the same drawing number as a previous (removed) plan sheet.

Elk County

Q19.EC The responses to Q11.EC, Q12.EC and Q13.EC indicate that Grant Trail Road has been labeled on the appropriate plan sheets. It does not appear that Grant Trail Road has been labeled on the E&S plans. Please review the plans and label Grant Trail Road on the appropriate E&S sheets. [25 Pa. Code §105.21(a)(1)].

Response: As previously stated, Wetland and Stream Crossing Plan WSS-ELK-AB-003 and E&S Abandonment Alignment 7/20 were revised to include Grant Trail Road as part of the first technical deficiency response. Both plans were reviewed and the label for Grant Trail Road has been confirmed.

Clearfield County

Q1.CC Some Chapter 93 classifications remain incorrect in the ARIT, some examples include Streams 182-188, and 190. Please ensure that all streams in the ARIT have the correct Chapter 93 classification and revise the ARIT as necessary [25 Pa. Code §105.21(a)(1)].

Response: The ARIT Table has been updated with the correct Chapter 93 stream classifications and is provided as:

- 04-02-00_ARIT_Clearfield_20201215_Rev2

Q2.CC On sheet WSS-CLE-AB-002, please show and label the existing bridge that crosses over Stream 180. [25 Pa. Code §105.21(a)(1)]

Response: Wetland and Stream Crossing Plan WSS-CLE-AB-002 and E&S Abandonment Alignment 1 have been revised to show an "EXISTING BRIDGE" label in this location.

Q3.CC The response to Q15.CL indicates that the railroad tracks shown on sheet WSS-CLE-AB-003 will be crossed with foot traffic only, however, there is a RCE shown on this sheet. This RCE does not appear to be shown on E&S sheet 1 of 20. Please review the plans and revise accordingly. [25 Pa. Code §105.21(a)(1)]

Response: As previously stated, the railroad tracks at this location will not be crossed by equipment and will be crossed with foot traffic only.

E&S Abandonment Alignment 1 and Wetland and Stream Crossing Plan WSS-CLE-AB-003 have been revised to remove the RCE and label "FOOT TRAFFIC ONLY IN THIS LOCATION".

Q4.CC The response to Q17.CL indicates that Stream 145 shown on sheet WSS-CLE-AB-004 will be crossed with foot traffic only, however, there is a RCE shown on this sheet. This RCE does not appear to be shown on E&S sheet 3 of 20. Please review the plans and revise accordingly [25 Pa. Code §105.21(a)(1)].

Response: As previously stated, this area will be accessed with foot traffic only.

E&S Abandonment Alignment 3 and Wetland and Stream Crossing Plan WSS-CLE-AB-004 have been revised to remove the RCE and label "FOOT TRAFFIC ONLY IN THIS LOCATION".