



May 26, 2016

John Taucher
PA Game Commission
Bureau of Wildlife Habitat Management
Division of Environmental Planning & Habitat Protection
2001 Elmerton Avenue
Harrisburg, PA 17110

**Subject: PGC ID Number: 201312180001
Request for Effects Determination Concurrence Update
Sunoco Pipeline, L.P. - Pennsylvania Pipeline Project**

Dear Mr. Taucher:

Tetra Tech, Inc. (Tetra Tech) has been retained by Sunoco Pipeline, L.P. (SPLP) to conduct environmental field surveys and permitting services for the Pennsylvania Pipeline Project (PPP) or Project. On behalf of SPLP, Tetra Tech is providing an update to the Project's Allegheny Woodrat Conservation Plan in response to additional correspondence with Pennsylvania Game Commission (PGC) and discussions with the Department of Conservation and Natural Resources (DCNR). This request is an update to the previously submitted requests seeking Project concurrence of no impact determinations submitted on July 17, 2015 and January 15, 2016 for the Northern harrier, silver-haired bat, small-footed bat, potential bat hibernacula, and the Allegheny woodrat.

Allegheny woodrats and their habitats and eastern small-footed bats and their habitats are documented as occurring at several sites in and in the vicinity of the Project areas. Project related coordination with PGC yielded information on known Allegheny woodrat and eastern small-footed bat habitat sites so that early planning for avoidance and minimization could be considered. Early in the project planning, SPLP went to great lengths to avoid and minimize direct and indirect impacts to Allegheny woodrats and their habitats and eastern small-footed bats and their habitats as presented within the conservation plans submitted on January 15, 2016.

After review of those plans, PGC outlined its initial determination in regards to impacts to the Allegheny woodrat and eastern small-footed bat in correspondence with Preston Smith of Tetra Tech. PGC provided concurrence with most of the survey findings and avoidance measures in both conservation plans submitted on January 16, 2016. SPLP received additional comments from the PGC and DCNR as part of the land acquisition process after the submission of the Allegheny Woodrat Conservation Plan on January 15, 2016. SPLP has revised this Plan (Attachment) to address these concerns. The revised Plan includes the following conservation measures and commitments to satisfy PGC and DCNR requirements on lands they administer.

SPLP has committed to minimize mowing and the use of pesticides, as well as eliminate the use of blasting in all woodrat habitat areas. SPLP has implemented a route change by moving the proposed route to the northern side of the existing ROW to minimize impacts that could potentially occur to the woodrat population at the Jacks Mountain 3 habitat area, located on State Game Lands 71 (Figure 2-2 of the Attachment). SPLP has also agreed to implement the following conservation measures outlined in the document titled, "Sunoco – Pennsylvania Pipeline SGL 71

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Woodrat Mitigation Plan” provided within Appendix A of the revised Allegheny Woodrat Conservation Plan. SPLP will perform 300 plantings comprised of species that can benefit the Allegheny woodrat and ensure a 70% survival rate for 3 months after planting. Additionally, SPLP will construct travel corridors in the form of rock structures to allow woodrats to safely cross the existing and proposed ROW in this area.

Based on discussions with DCNR, SPLP will implement conservation measures at the Bowers Mountain 2 habitat area located within the Tuscarora State Forest (Figure 2-4 of the Attachment). These conservation measures will follow the DCNR’s Woodrat Habitat Plan Parameters which are provided in Appendix D of the revised Allegheny Woodrat Conservation Plan. These measures include maintaining currently existing habitat by minimizing mowing and the use of herbicides and enhancing currently existing woodrat habitat by creating rock piles for cover and planting a fenced-in food plot with mast producing species. SPLP will also ensure that the new pipeline is installed parallel and directly adjacent to the existing pipeline and that any additional disturbance will occur on the Southern side of the existing ROW in this area. Finally, SPLP will conduct a study at the Bowers Mountain 2 habitat area to monitor the nightly movements of woodrats using radio telemetry methods in order to better understand the impacts of this project.

Habitat surveys for small-footed bats identified 1.7 acres of habitat within the proposed LOD. SPLP originally proposed to prevent small-footed bats from accessing summer roosting habitat within the Project LOD to avoid any chance of incidental take that could occur during construction activities. To accomplish this, SPLP proposed to seal off these areas using a geotextile material such as silt fencing, mesh screening, or other appropriate materials. With PGC concurrence, SPLP has prevented potential impacts to eastern-small footed bats by sealing off entrances, cracks, and crevices to potential summer roosting habitat areas within the Project LOD prior to emergence from hibernation (April 1). Twenty seven habitat areas totaling approximately 1.7 acres within the Project LOD were sealed off using geotextile materials to prevent eastern small-footed bats from entering potential summer roosting habitat within the LOD. Additionally, several cracks and crevices at two of the habitat areas that also contained overwintering habitat were left uncovered to allow for the emergence of any potential hibernating bats. One-way doors were also installed at these habitat areas as an additional means for potential hibernating bats to emerge.

As an additional mitigation measure following the completion of construction, SPLP proposed to construct new roosting structures as close to the areas of impacted areas as possible. SPLP proposed to construct twenty new roosting structures along temporary Right of Ways (ROWs), access roads, or temporary workspaces, or in areas adjacent to these spaces based on an evaluation of the landscape. These structures will be monitored for use for a period of three years or until bats are seen emerging from the structures.

Based on the information provide herein, the previously provided survey reports, previously provided eastern small-footed bat conservation plan, the attached revised Allegheny woodrat conservation plan, what is known about the presence and/or potential presence of the Allegheny woodrat and the eastern small-footed bat in the vicinity of the project areas, and SPLP’s commitments to the protection and conservation of these species, it is Tetra Tech’s conclusion that the PPP is not likely to impact the Allegheny woodrat and eastern small-footed bat. Additionally, on July 17, 2015 PGC was provided with an initial request seeking Project concurrence with a no impacts determination that addressed the Northern harrier, silver-haired

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bat, and potential bat hibernacula within the Project area. On behalf of SPLP, Tetra Tech would like to request the PGC's concurrence with these no impact determinations for the Northern harrier, silver-haired bat, potential bat hibernacula, eastern small-footed bat, and the Allegheny woodrat to satisfy State permit requirements.

Thank you for your assistance in this matter and we look forward to your review and concurrence. If you have any questions regarding this request, please feel free to contact me at 412.921.8167 or preston.smith@tetrattech.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Smith', with a long horizontal flourish extending to the right.

Preston R. Smith
Manager, Wetlands and Ecological Services Department

Attachment:

Allegheny Woodrat Conservation Plan

CC: Christopher Embry, Sunoco Logistics
Monica Styles, Sunoco Logistics
Matt Gordon, Sunoco Logistics
Brad Schaffer, Tetra Tech
Sandy Lare, Tetra Tech
File 112IC05958