



October 2, 2015

Pamela Shellenberger
U.S. Fish and Wildlife Service
110 Radnor Rd; Suite 101
State College, PA 16801

**Subject: Request for Effects Determination Concurrence
Sunoco Pipeline, L.P. - Pennsylvania Pipeline Project Multiple Counties
(Formerly part of the Mariner East 2 Pipeline Project - Project #2014-
0200)**

Dear Ms. Shellenberger:

Tetra Tech, Inc. (Tetra Tech) has been retained by Sunoco Pipeline, L.P. (SPLP) to conduct environmental field surveys and permitting services for the proposed Pennsylvania Pipeline Project (PPP) formerly part of the Mariner East 2 Pipeline Project (ME2). On behalf of SPLP, Tetra Tech is requesting effects determination concurrence from the U.S. Fish and Wildlife Service (Service)-Pennsylvania Field Office for the PPP.

On December 12, 2013 a Large Project Pennsylvania Natural Diversity Inventory (PNDI) Environmental Review Request including a large project form, project description, and preliminary project USGS topographic mapping was provided to the USFWS under the preliminary project name "Mariner East 2 Pipeline - Trans-Pennsylvania". The Mariner East 2 Project was described as traversing the state of Pennsylvania. However, after field activities began, the project was split into two separate and independent projects; the PPP and the Ohio Pipeline Project (OPP) (Attachment 1). The PPP involves the phased installation of approximately 561 miles of two parallel pipelines within a 306-mile, 50-foot-wide right-of-way (ROW) from Houston, Washington County, Pennsylvania to SPLP's Marcus Hook facility in Delaware County, Pennsylvania with the purpose of interconnecting with existing SPLP Mariner East pipelines. Initially, a 20-inch diameter pipeline would be installed within the ROW from Houston to Marcus Hook (306 miles) and a second, up to 20-inch diameter pipeline, would be installed in the same ROW. The second line is proposed to be installed from SPLP's Delmont Station, Westmoreland County, Pennsylvania to the Marcus Hook facility, paralleling the initial line for approximately 255 miles.

We received a response to our December 12, 2013 request for information dated March 19, 2014 from the Service and it is included as Attachment 2. The Service response identified the Indiana bat, northern long-eared bat, and bog turtle ESA species of concern and a number of follow-up conversations were held by phone for further clarification. One of those follow-up conversations on April 1, 2015, indicated that the northeastern bulrush was an additional species of concern. In response to USFWS survey requirements, qualified Biologists surveyed for Indiana and northern long-eared bats, bog turtle, and northeastern bulrush in appropriate locations along PPP. Indiana and northern long-eared bats, and northeastern bulrush were addressed in a previous submittal package.

As a result of these correspondences with the Service, bog turtle surveys (both Phase 1, were implemented by several Service-approved biologists. The investigations were conducted by

numerous consultants, beginning with Phase 1 (habitat) surveys by Wildlife Specialists, LLC (bog turtle Surveyor: Stan Boder) in 2013. The majority of PPP bog turtle surveys were conducted in 2014, by a survey team of three sub-consultants; Aqua-Terra Environmental Ltd. (Aqua-Terra; bog turtle Surveyor: James Drasher), Environmental Consultation Services, Inc. (ECSI; bog turtle Surveyor: Kevin Keat), and Jason Tesauro Consulting, LLC (Tesauro Consulting; bog turtle Surveyor: Jason Tesauro), and Skelly and Loy, Inc. (Skelly and Loy; bog turtle Surveyors: Ben Berra, Andy Brookens, and Logan Zugay). The 2014 surveys included Phase 1 habitat evaluations, Phase 2 presence/absence surveys and Phase 3 trapping surveys. A final round of surveys was conducted in 2015 by Aqua-Terra, Skelly & Loy, and Tesauro Consulting to investigate remaining wetlands that needed Phase 1 and/or Phase 2 surveys.

During the PPP field survey efforts, approximately 430 wetlands or complexes were investigated for suitable bog turtle habitat (Phase 1). Of these wetlands, 98 were found to have suitable habitat. Survey results for wetlands within the Project limits of disturbance (LOD) and within 300 feet of the LOD are included in Attachment 3, which also includes mapping of these areas and a table with the relevant wetlands referencing the specific report the information is contained within. As a result of the many project surveys, 20 wetlands were deemed assumed/occupied bog turtle sites and initial avoidance/minimization measures were implemented during the project design and permitting phases.

Attachment 4, the Bog Turtle Conservation Plan for the Pennsylvania Pipeline Project, provides SPLP's commitment to avoidance, minimization, and mitigation measures to prevent impacts to the bog turtle within the Project area. From the onset of the Project, SPLP has instructed project designers to consider environmental impacts in regard to all aspects of the proposed Project and to avoid and minimize wherever possible while allowing safe installation. Pipeline engineers were provided a list of restrictions, recommendations, and requirements to consider during the design phase. Major considerations were co-location with existing utility corridors, limiting the construction corridor to the minimum amount practicable, use of HDD technology, and avoidance and minimization at sensitive habitats.

During the development of the Project route, SPLP worked with routing agents and property owners to minimize and avoid forested uplands and wetlands, woodlots, and fence rows where possible. SPLP also co-located the project alignment with other similar disturbances wherever possible, and paralleled existing SPLP ROW for the majority of the route so that this existing ROW could be utilized as workspace. SPLP has co-located the Project with a currently existing SPLP right-of-way (ROW) for approximately 80% of the project. This is a significant means for avoiding new impacts to sensitive resources (i.e., forested wetlands, forest areas, streams) and for minimizing environmental impacts for the entire Project. SPLP has also co-located with foreign utility lines whenever possible when routing pulls away from the existing SPLP ROW.

In addition, SPLP has implemented a number of route variations through environmental feedback, both minor and major, to further reduce the impacts associated with the Project. Many of these route variations are driven by environmental factors such as wetland areas occupied by sensitive species such as bog turtles. One such reroute eliminated the need to cross the Marsh Creek wetland complex. A second reroute minimized the number of wetlands traversed by the Project in the vicinity of Middle Creek. After all reroutes were implemented, the number of assumed/occupied bog turtle wetlands/complexes within 300 feet of the Project were reduced from 20 to 10.

As a standard practice for avoiding impacts to the bog turtle, SPLP will conduct HDD at known occupied or assumed/occupied bog turtle wetlands during the turtle's active period (April 1 to October 1). Of the remaining 10 wetlands, surface impacts to seven (the five occupied and two assumed bog turtle wetlands) traversed by the current alignment will be eliminated using HDD methods. The other three wetlands are within 300 feet of the current LOD, but will not

be disturbed by the Project. Through the design of the project, SPLP has minimized disturbance to bog turtle wetlands as much as operationally possible by implementing pipeline reroutes around and HDD under bog turtle wetlands. The primary concern with HDD is the release of drilling mud into a sensitive resource. While the potential for inadvertent returns cannot be eliminated, SPLP has or will implement pre-construction and construction minimization measures to reduce the potential for negative indirect or direct impacts on bog turtles.

Based on the information provide herein, the attached survey reports and conservation plan, what is known about the presence and/or potential presence of ESA listed species in the vicinity of the project areas, and SPLP commitments to the protection and conservation of bog turtles, it is Tetra Tech's conclusion that the PPP is not likely to adversely affect the bog turtle. We request, on behalf of SPLP, the Service's concurrence with this determination to satisfy Federal and 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,

Preston R. Smith
Manager, Wetlands and Ecological Services

Attachments:

- PPP Project Overview Map (Attachment 1)
- USFWS Pennsylvania Field Office Response Letter (Attachment 2)
- Bog Turtle Survey Reports and Mapping (Attachment 3)
- Bog Turtle Conservation Plan (Attachment 4)

CC: Chris Embry, Sunoco Logistics;
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